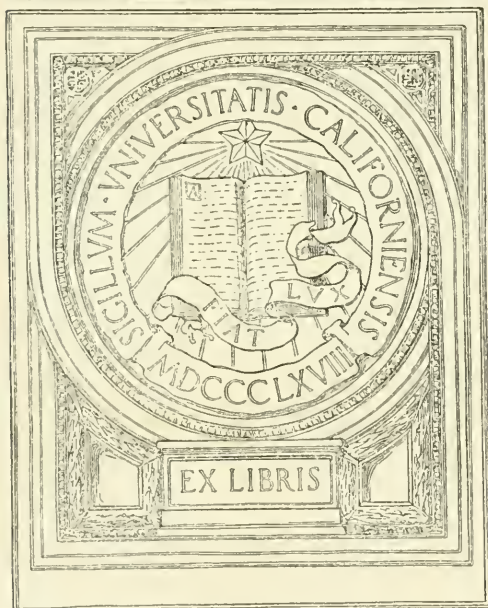




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# THE GOVERNANCE OF EMPIRE

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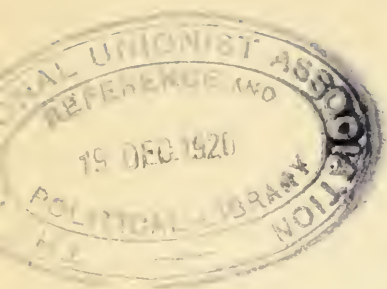
P. A. SILBURN, D.S.O.

(MEMBER OF THE LEGISLATIVE ASSEMBLY OF NATAL)  
AUTHOR OF "THE COLONIES AND IMPERIAL DEFENCE"

*WITH A MAP*

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## PREFACE.

THE object of presenting this work to the public is twofold. Firstly, as a colonial, my desire is to present a colonial view of the imperial idea, and, secondly, to endeavour to arouse among my countrymen, in the United Kingdom especially, a greater interest and pride in the Empire beyond the seas.

My critics may point to the number of able works bearing directly or indirectly upon the British Empire which have been published within recent years, and it may even be said that I am repeating an oft-told tale, that many of the suggestions which I now put forward, with all due deference to these self-same critics, have been made before. My reply is, "The thing that hath been, is that which shall be; and that which is done is that which shall be done; and there is no new thing under the sun" (Eccles. i. 9).

I am well aware that much which appears between these covers has at some time or another, in different forms, appeared in print; but the labour entailed to bring the material together in such order as to bear intelligently upon the vast subject this book barely touches the fringe of, is more than time will allow the average politician, or man of affairs, of the present day. Moreover, the works to be consulted, the records and articles to be compared to verify the statements made and support the arguments advanced would in

themselves fill a small library. And there are those whose means, opportunities, and time prevent them from going first hand to many of the authorities it is so necessary to consult to secure the requisite information ; and it is as a slight endeavour to assist in a small way such men that I have undertaken this work.

Some exception may be taken to the arrangement of this book. It may be argued that the first three chapters are irrelevant. To the average inhabitant of Great Britain the insidious and dangerous growth of Socialism in the colonies takes place unobserved. There are many, too, who join its ranks ignorant of the grave evils to a state and to their own descendants which follow in the wake of its subtle doctrines. The lessons to be found in the history of those nations of the past with which these chapters treat actuated me in abandoning my original idea of excising them from the work. Moreover, it is necessary to understand clearly what is meant by the term imperial federation when used in connexion with the British Empire. And it is as well to take the reader back to ancient times, and starting thence to glance through the history of previous federations of cities, provinces, or states until he arrives at the history of our present time equipped with a knowledge of the strong points in those federations or leagues of the past, or of those that are still in existence, and armed with that which is still more valuable, the many weak points, some or all of which have been responsible for their disappearance or decline.

Many valuable works have been written on federal government of ancient, mediaeval, and modern times, yet none of these have applied the lessons recorded to the governance of the only world-empire known to history.



It is hoped that this work will assist to refresh the reader's memory on past federal systems of government, to recall to mind those federal systems that are now in existence, and to apply the lessons recited to what is at present vaguely termed imperial federation, but what might be more explicitly termed imperial unity.

We find that previous federations were made between units claiming absolute independence of each other. Prior to their federation they were independent sovereign states ; then federations were brought about mainly for defensive purposes and were in some cases little more than defensive alliances.

The term federation is an elastic one. In the ancient form of federal government it was applied in a wider sense than in our recent federations of groups of British colonies. And the term can hardly be applied to a further tightening of the bonds between the units of an empire, the loyal subjects of one sovereign, existing by the supremacy of one Navy and liable to attack by the same enemy.

Many able political writers confine themselves to destructive criticism not from any inability to propound a constructive policy, but from a genuine fear of being treated unmercifully by that ever-growing army of critics, a few of whom consider it their duty to condemn on sight ; this is more especially noticeable when the work to be reviewed comes from one of His Majesty's possessions beyond the seas. Much of the work which emanates from the colonies is perforce crude ; the difficulties under which many colonial writers have to work are often considerable. Authorities to refer to are in many cases unobtainable ; agents have to be employed to consult works in the British Museum or manuscripts elsewhere in Europe, and

often, after months have elapsed and the material asked for has come to hand, it is discovered to be, perhaps through a misunderstanding on the agent's part, of no value. But these difficulties are being overcome in the British colonies. In a very few years our libraries of reference will be fairly complete. The educational system is year by year becoming more perfect and uniform, and the coming generation of colonists should produce writers whose works will justly receive greater consideration at the hands of the British critics than it was possible under different conditions for the work of their fathers to have received.

It is my intention, in the course of this work, to brave the criticisms of the critics at home, and endeavour to deduce from certain lessons of the past such material for a constructive policy for consolidating the Empire as appears reasonably possible. Chapters XVI and XVII are confined to constructive policy, and are intended to submit, with all deference, to both political parties in Great Britain the opinions of a certain section of colonial politicians on imperial federation.

My sincere thanks are due to A. Milligan, Esq., assistant-editor of the "Natal Mercury," for his kind advice and able assistance in the production of a work which, in spite of numerous defects and shortcomings, has been undertaken for the purpose of endeavouring to add some slight assistance towards furthering the closer union of the component parts of our great empire.

P. A. SILBURN.

DURBAN, NATAL,  
29 JAN. 1910.

## CONTENTS.

CHAP.	PAGE
I. Government under Ancient Federalism . . . . .	1
II. Roman Government . . . . .	20
III. Later Developments in Government . . . . .	42
IV. Conditions affecting Government . . . . .	61
V. The Beginning of British Imperialism . . . . .	82
VI. The British Constitution and its Charters . . . . .	133
VII. British Imperial Government . . . . .	158
VIII. Responsible Government of Colonies . . . . .	173
IX. Colonial Commonwealths . . . . .	191
X. The Subject Races of Africa and their Government . . . . .	219
XI. The Influence of Sea Power upon Imperial Government . . . . .	230
XII. Defence in Relation to Government of Empire . . . . .	261
XIII. Imperial Communications . . . . .	274
XIV. Imperial Commerce . . . . .	285
XV. Empire and the Press . . . . .	305
XVI. The Call for Imperial Federation . . . . .	318
XVII. An Imperial Constitution . . . . .	332

## MAP.

Map illustrating Imperial communication by Wireless Telegraphy  
*Facing page* 280



## CHAPTER I.

### GOVERNMENT UNDER ANCIENT FEDERALISM.

DURING the last half century the British Empire has experienced the joining together in separate federations or unions of three sets of her colonies. In three different quarters of the globe British colonies, geographically one but politically independent of each other, have more or less sunk their individuality and have joined together under federal or union constitutions. It is one of the objects of this work to show to what extent these federations or unions differ from or resemble each other and other constitutions that have gone before. To those who have followed the negotiations leading up to and bringing about these latter-day colonial unions there must come the conviction that whilst mankind has progressed to a very high state of civilization in all else, yet in political science we have advanced but little from those who lived two thousand years ago. As we examine the negotiations which led to the federal unions of the past we note with interest that then as now the same obstacles had to be faced. Where the union of two or more previously independent states was attempted, the same controversy took place, and the same arguments were advanced for and against a loose system of federal union; there were advocates for a close unitary form of government and the extinction of state borders, and on the other hand there were those who were jealous for the retention of boundaries and the protection of state rights. Thus we find that compromises were effected, and although as in all compromises there were weak points, yet a system which has since served as a model for later federations was unconsciously created; and to-day the political student looks back to ancient Greece for precedents in federal government, and more especially to the constitutions of the Achaian and Ætolian

Federation in  
the British  
colonies,

and in  
ancient  
Greece.

Leagues as the origin of that political system which recognizes state or provincial rights and practical independence in domestic legislation, and which yet invests a central body with certain superior governing functions. Serious endeavours have been made in later times to improve upon this system, but without success. A notable instance in recent years of failure overtaking a too close form of union between separate states was that of the Union of the Canadas under the Act of 1840 and its subsequent repeal in 1863 and the adoption of a federal constitution recognizing state rights.

A departure from the tried system of federal union has just been made by the four South African colonies. There a very close unitary system has been adopted, a description of which will be found under Chapter IX. To the historian of to-day this case is of little value except to demonstrate that the tendency of the age is to break the fetters of precedent. To the historian of the future it will undoubtedly afford rich material for the study of the constitutional development of the science of governance.

Absence of  
progress in  
the science of  
government.

It has already been remarked that whilst the twentieth century has brought with it a remarkable state of efficiency in most of the arts, crafts and sciences, it would appear that no corresponding advance has been made in a period of two thousand years in that science which is responsible for the good government of a country. It will be noted that two republican constitutions drafted with a period of two thousand years between them and at a distance of seven thousand miles from each other are remarkable in their similarity; and the modern one of the U.S.A. does not show that improvement upon the ancient one of Achaia that the advance in civilization would lead us to expect. Whilst education is common to the people of this age and reaches all classes of society from the peer to the pauper, we find that the philosophical training of thought prevalent in classical and mediaeval times is rapidly falling into neglect and disuse; this is partly explained by the materialism and individualism of the age, the tendency to move ever more quickly, and the desire to master that which will only give immediate benefit and to reject the more solid though less easily acquired doctrines. Hence we find that but little advance has taken place in the science of government. But



rather on the contrary, we find certain nations showing distinct signs of retrogression in this respect. We have seen empires decay into subject provinces, kingdoms revert to republics, and then accept the yoke of a tyrant and eventually disappear from the pages of history. Political science, to be sound and effective, has to be founded upon practical philosophy, that branch of knowledge taught by Plato and Aristotle and certain schools that followed them, but which in this twentieth century of materialism has fallen into neglect among the European races. We may yet find it, if we care to seek, among those nations appearing on the horizon of the East. It was this neglected branch of knowledge (that which teaches the subordination of self), that laid the foundations upon which all good government has been built. The statesmen of Achaia, Athens, and Ætolia were invariably men of philosophical training, and their learning was applied to the making of laws for their compatriots and for posterity, many of the fundamentals of which exist to the present day.

The ideal sought after by political philosophers of all ages is a form of government which will result in a contented, prosperous, self-reliant, and peaceful people. This ideal has been approached in history by but one or two, numerically speaking small nations; one example before us to-day is Switzerland; and an example in our own empire of an approach to this ideal is New Zealand, a colony which has imposed upon itself the duty of experimenting in domestic legislation, much of which has proved efficient and effective. We find, however, that many of these experiments are but unconscious plagiarisms of ancient or mediaeval legislation, just as in the same way we discover that the draftsmen of the American Constitution unwittingly adopted much of the Constitution of Achaia. There is every reason for believing that the similarity between the American Constitution and that of the Achaian League was mere coincidence, and was brought about merely by similar circumstances and agencies. The history of the federal movement in America indicates that Washington, Hamilton, Jefferson and the two Adamses were but slightly conversant with the classics. In their day the translations were imperfect, and the exigencies of their daily life and their every environment denied to those hardy

Ideal of  
government.

Creation of  
the American  
Constitution.

colonists the advantages of that higher education which would have made them acquainted with the labours of their prototypes of twenty centuries before. But yet, gifted with sound reasoning powers and by nature of philosophical minds, they arrived at conclusions similar to those reached by the ancient Greeks.

Mere size is  
not the true  
criterion of  
national  
greatness.

At first sight one is inclined to measure the importance of a nation either by the territorial area it occupies, by the numerical strength of its population or by its martial powers ; further inquiry, however, will satisfy one that the true measure of a nation's greatness is its national character and the standard of its political education. The comparison of Switzerland with Russia, for instance, or Norway with Turkey, shows how fallacious it is to judge the importance of a country by any other standard than that of political integrity and intelligence.

Achaian  
League.

We now arrive at the starting-point of our investigations in those various forms of government which have been adopted where two or more states have agreed to accept a superior governing instrument common to all contracting parties. We will start with the Achaian League and the very important part occupied in the political history of the world by this confederacy. The political integrity displayed by the Achaians won for them the great respect of their more powerfully martial and numerically stronger neighbours and enabled them to take the lead in political science among the nations of the then known world, and it gained for them the regard of later generations. It was to the political leaders of those small states of ancient Greece that Providence ordained the duty of laying out the beacons that indicate the road along which the ideal of perfect government might be reached.

Although history records among the minor Greek states instances of federalism earlier than those of Achaia and Ætolia, little benefit will be derived from a study of these ; for we shall find the principles more clearly defined and the working of the constitutions accurately recorded by Polybius and Plutarch in the cases of the two outstanding confederacies of ancient Greece.

It is to be regretted that the most useful and beneficial



section of Grecian history is neglected by English students. The martial achievements, the oratory, mythology and literature, verse and prose, of ancient Greece are closely studied; but little or no attention is given by English writers and students to the political history of federal Greece. Mr. Freeman in his invaluable work on federal government rightly deplores the scant attention given in England to the writings of Polybius, and he correctly compares the attention and close study given by German students to this branch of Grecian history with the ignorance displayed in England on the subject. The average English student's knowledge of the history of Greece does not extend much beyond Athens, and centres around the writings of Aristotle, Thucydides and Demosthenes, full of interest, no doubt, but the lessons of real value to the present day lie between the covers of Polybius and Plutarch. Here we learn of a different Greece from that pictured by Livy or Thucydides. In recording the political activity of ancient Greece, in searching for and extracting political precedents of value, it is somewhat remarkable that we seldom meet with any of the old familiar names of Greek history. Somewhat strange names are continually moving across the political stage, names not often met with in the picturesque accounts of the Hellenic struggles, but names just as worthy of immortality.

For practical purposes the history of the Achaian League commences with its revival in 281 B.C., although long prior to that date the federation had existed, and to the time of Philip of Macedon had succeeded in preserving its liberty; but under Philip and his son Alexander and those who succeeded them it was held in subjection. The confederacy, or league as most historians term it, consisted of ten cities, viz. Patrai, Tritaea, Pharai, Leontion, Dymê, Aigion, Pellênê, Aigeira, Keryneia and Boura. With the death of Alexander this little confederacy suffered from the state of confusion which then ensued, and the cities assumed independence of each other; for a period of forty-three years the confederacy ceased to exist. Each city and its surrounding territory submitted to the rule of a tyrant and the former policy of democracy gave place to that of tyranny; the spirit of the people was broken and might took the place of right. The confederacy

had lost its long-cherished solidity, but only for a time ; for out of the ruins of the former republican government there was built the federal constitution that was to serve as the model for future democracies. In the year 280 B.C., the inhabitants of Dymê and Patrai laid the foundations of the more lasting federal union, for in that year they expelled their tyrants, and elected magistrates to execute the will of the Assembly, which consisted of all men of thirty years of age and upwards. This action was followed by the other eight cities and the old bond of union was renewed. The energies and abilities of the leaders of the ten contracting parties were concentrated upon forging a strong instrument for the good administration of the federal union ; and so successful were they in this that within the short period of twenty-five years the reputation of the government of the Achaian League was spread throughout Greece. In the year 252 B.C., the powerful city of Sicyon threw over its tyrant and joined the confederacy under the leadership of Aratos, a man destined to play an important part in its history.

Success of  
the League.

It was now that the Achaians came under the notice of the other states of Greece, not by reason of their numerical strength or martial powers or acts of valour, but by virtue of their laws and form of government. So great indeed became the reputation of the confederacy for wisdom and justice that the disputes of their more powerful neighbours were referred to the statesmen of Achaia for arbitration. One case in particular may be cited. After the battle of Leuctra a dispute arose among the people of Greece as to the conqueror ; the Thebans claimed the victory, as also did the Lacedæmonians, and both claimed the sovereignty of Greece. Instead of resuming the war it was agreed to submit the question to the Achaians, though a much weaker state ; all the points in dispute were referred to the League for judgment, and the verdict when given was most loyally abided by. Thus it was that their form of government became recognized as a model, and their strength was augmented from year to year by the inclusion of city after city. It now became the ambition of the Achaians to extend their political system throughout Greece or at least to absorb all the Peloponnesus into a free and equal democratic confederation.

The most democratic of people at some time or another <sup>Iseas.</sup> of their history have to acknowledge their indebtedness to individual genius for national advancement, and so it was with the Achaian League, for had it not been for the genius of one or two of its citizens it would not have risen above the other federal unions which divided Greece among them about this time. The first name we meet with in the account given by Polybius of the revival of the League is that of Iseas, tyrant of Carynia or Keryneia. This man set the example of divesting himself of his royalty and acknowledging the people to be the sovereign power. He strengthened the League by joining it with his city and taking his place in it as a private citizen, though later we find him occupying an important office in the confederacy. The one outstanding name in the Achaian League is that of Aratos, and it was mainly due to this leader that the confederacy won such a high reputation among its contemporaries.

Although the constitution is under our consideration, <sup>Aratos.</sup> historical reference to individuals is unavoidable, for we find that every constitution is stamped with the characteristics of one or more individuals. The unwritten constitution is the biography of statesmen of different periods, as the written constitution of the United States is the monument of Washington, Hamilton and their colleagues, and the character of those men is written in that document. With the Achaian Constitution the personality of Aratos appears more in its administration, though there is little doubt that he instituted or improved upon many of its provisions; this much at least we gather from Polybius and Plutarch.

The constitution of the Achaian cities, united under a <sup>Franchise.</sup> strictly federal union, was essentially a democratic one; it was based upon a liberal franchise as regards qualification, though reasonably debarred to men under the age of thirty years. The Achaians, though true democrats, were not believers in the twentieth century Socialistic doctrine of representation going with taxation; experience and wisdom were more essential for the voter than wealth or social status. We find that there was no differentiation in the franchise as is the case in the British Empire itself, and even in the dominions or unions of the Empire. The man of Dymê

having reached the age of thirty voted in the confederacy as did the man of Patrai. In the British Empire there is not that liberality, for we find that a man has to reside two years in the British colony of the Cape of Good Hope, or else rent property of a certain value before he can vote in the South African Union, while his fellow citizen in the Union residing in the Transvaal or Orange Free State has only to reside six months in the country to qualify for the same rights. The age of qualification for the Achaian franchise being fixed at thirty will, in this age of young men, appear somewhat harsh and unreasonable. Yet on the other hand we find that the tendency to-day is to proceed to the other extreme. Throughout the British Empire the age of qualification is twenty-one years, providing certain other varying qualifications have been fulfilled. This age is, to most minds, an irresponsible one. A youth of twenty-one is liable to be swayed by extraneous influences, and a very small minority of voters of that age are able to understand adequately the political conditions and requirements of the place and moment. It is an age, too, easily excited by passion and prejudice, and is therefore more liable to be the instrument of the corrupt methods of political expediency. But it must be borne in mind that the duties required of the Achaian voter were quite different from and of a far more responsible nature than those called for from the voter in any part of the British Empire or in any constitutionally governed country of to-day. He had the right to appear not only in the open council of his state but in the Federal Assembly; to voice his opinion in both, to record his vote on the question at issue, to vote for the state as well as for the federal Ministers. It may be argued that this was an approach to mob law, and no doubt under the conditions which exist to-day the Achaian Constitution would rapidly resolve itself into government by the mob; but there were certain indirect restrictions which effectually limited the attendance of the Assembly when in session. The federal session was held twice a year in the sacred grove of Zeus Hamaggrius near Aigion. The distance to be travelled from the populous cities and the time taken in so doing made it extremely difficult for the lower classes to attend these federal sessions. Dymê, the most western



town, was fifty miles distant from the federal capital, and there were still more remote and mountainous parts.

THE CONSTITUTION.—Owing to each of the cities—which Constitution. in a more widely accepted sense of the term might be cited as tribes, although Polybius and Plutarch prefer the more restricted name and both Mr. Freeman and Mr. J. D. Woolsey follow them in terminology—insisting upon retaining its own rights of internal and domestic government the League was constituted a federal union, that is, each city retained its city assemblies and officers, and those units joining the federal union at later dates were admitted upon the same conditions as bound the original states.

The questions of policy reserved for the Federal Assembly and magistrates were:—

1. Declaration of war.
2. The conduct of war.
3. Declaration of peace.
4. Forming of offensive and defensive alliances.
5. Diplomatic relations with foreign states.
6. Coinage, weights and measures throughout the union.

THE FEDERAL ASSEMBLY.—Every citizen having reached Federal Assembly. the age of thirty years was entitled to attend the Federal Assembly in session, to speak and to vote. While the conditions under which the sessions were held restricted the meetings to the more sage section of the population, the business of the parliament was transacted with advantage to the federation and with decorum, but in later years extraordinary sessions were held in or near some of the populous towns, and then it was that the disadvantages of public assemblies were felt, for the irresponsible element displayed itself. At an extraordinary session of the Federal Assembly held at Corinth in 146 B.C. to listen to the Roman ambassadors the Assembly broke up in disorder, and according to Polybius, “there were gathered together a crowd of operatives and artificers such as had never been present before,” and the measures taken at this Assembly led to a war with Rome which resulted in the destruction of Corinth and the final dissolution of the League soon afterwards.

The sessions of the Federal Assembly seldom lasted more than three days. This indicates that the procedure of debate

must have been strict and that parliamentary discipline was good. The voting went by cities and not *per capita*.

Senate.

THE FEDERAL SENATE.—Although Polybius gives certain information regarding the Senate he fails to tell us of what number it consisted. Compared with what is now understood by the term Senate the Achaian Senate was more in the nature of a Government, very similar indeed to the Government of Great Britain, for we find that it was a standing body always in session. Questions of minor importance were decided by it though questions of greater importance had to be referred to the Assembly either at the ordinary session, or at an extraordinary session specially called. That the position of senator was a highly honourable one is proved by the fact that, unlike the Athenians, they were unpaid.

The senators were appointed by the vote of the Assembly<sup>1</sup> but for what period is not made clear.

Cabinet.

THE CABINET.—The archontes or demiurgi, by some authorities termed the magistrates, were the Ministers appointed annually by the Assembly to assist the Head of the Government, and were ten in number. The General (Head of the Government), selected from these ten Ministers a Secretary whose functions were similar to those of our Secretary of State for Foreign Affairs, a Master of Horse and an Assistant General. The functions of the latter were similar to those exercised by the Vice-President of the United States excepting that in the case of the death of the General he did not succeed to the position for the completion of the term of office.

Constitutional  
Head.

THE CONSTITUTIONAL HEAD.—This office was held by an officer under the title of General. He was the head of the federal union, and in addition was in supreme command of the federal army. The office was only tenable for one year and was attained by a direct vote of the Federal Assembly. Although the office could not be held for two successive years the same individual was eligible for re-election after he had been out of office for one clear year. We find, however, that Aratos held office for seventeen periods of twelve months,

<sup>1</sup> Curiously enough, after an interval of over twenty centuries this system of electing senators has been adopted by the South African Union.

twelve of which were spread over so short a period that it was impossible for the rule to have been strictly adhered to. Droysen contends that the law was departed from in favour of Aratos, and Mr. Freeman seems to believe that this was so. According to Plutarch, Aratos held office for seventeen periods of one year each; he was first elected to the premier position in the League 245 B.C. and he died 213 B.C. Lydiadas and Timoxenos were also honoured with re-election.

A source of weakness to the Achaian League sprang up from those states that had joined the federation against their will. Sparta and Messene had become members of the confederation by compulsion; and therefore, they never lost a pretext of unconstitutionally appealing to Rome by direct embassy. It was to the interests of Rome to encourage these unconstitutional methods on the part of certain members of the confederacy, and every endeavour was made by the Romans to promote strife between the members of the federal union. It was due to the personal influence and ability of Aratos that Roman intrigue was successfully checkmated and the confederacy kept together. This is one of the many illustrations which history gives, that unwilling members to a federal union are only a source of weakness to what otherwise might become a powerful federation, and in the light of what eventually transpired it is questionable whether Aratos did not err in retaining within the League Sparta and Messene.

In all federal matters each state, large or small, had an equal voice. It was truly federal. The voting in the Assembly went by states, and not, as is the case in the federal unions of to-day, *per capita*. Each state, irrespective of size or importance, exercised but one vote in the Assembly. Mr. Freeman takes exception to this and says: "It was clearly unjust that such cities as those of Sikyon, Corinth, Megalopolis, Argos, Sparta and Messene" should have no greater weight in the National Congress than the petty towns of the old Achaia,<sup>1</sup> and he adds: "the most effectual remedy would, of course, have been to let the vote of each town count as in the Lykian League for one, two, three or more according to

<sup>1</sup> E. A. Freeman, "History of Federal Government," p. 212.

their several sizes". It must, however, be borne in mind that when differentiation in voting among the units of a federal union is once recognized there is always the tendency of the stronger to absorb the weaker units and thus by a gradual process the federal system develops into such a close unitary form that the individual units become merged into one. Then it is that either the tyranny of democracy or the other extreme of autocracy reveals itself. This very question of the manner of voting was discussed at the outset of the American Convention of 1774. "A little colony," said John Sullivan of New Hampshire, "has its all at stake as well as a great one." It was therefore decided to vote by colonies. It took eighty years of union and a great civil war to alter this, and the alteration has resulted in the power of government being theoretically in the hands of the masses but in practice being wielded by those able to exploit them. Even to-day the American Constitution recognizes the equality of the states in certain matters. Each state sends two representatives to the Senate. Should the duty of electing a President fall to the House of Representatives the vote is taken by States; and this is also the case when the Senate is voting on the admission of new States. We also see the Achaian principle of recognizing the equality of states big or small adopted in a lesser degree by two of the British confederacies, viz. Australia and South Africa. In these colonial unions each state, irrespective of size or importance, has an equal number of representatives in the Senate. This is but a scientific improvement upon the Achaian system of voting by states and was instituted for the same reason, viz. to afford some measure of protection to the minority. If, therefore, a federal union is to stand, all suspicion of selfish ambition on the part of one or other of the contracting parties must be eliminated, and this can only be done effectually by giving equality in one of the Chambers; if in the popular Chamber it must follow in the Senate also; but as it is only required as a safeguard, it is only really necessary in that Chamber which has the power of veto. In the Achaian League the power of veto was in the hands of the popular Assembly, the Senate holding the same relationship to the Assembly as the British Ministry does to the House of Commons, excepting in this important



respect that the Senate was elected by the vote of the Assembly every alternate session.

Owing to the indirect methods already described, the Assembly was not as democratic in practice as it appears to have been in theory, and again in this respect it somewhat resembled the British House of Commons. The more democratic element described by Polybius as "the operatives and artificers" (Polyb. VI, xxxviii. 4), possibly found a more convenient outlet and one less expensive in time and money, for their political ambitions in the meetings of their state assemblies. It would therefore rest with the more leisured class, and those able to afford the expense of so doing, to attend the Federal Assembly. The sessions of the Assembly seldom extended over more than three days, and we must infer that the debates were not conducted on party lines; indeed, we must give the Achaians credit for satisfactorily solving the problem of party government, as we can quite understand how impossible it would be to hold together an Opposition under a constitution which provided for the members of the Government being elected by vote of the Assembly each year. This procedure is also responsible for the rapid dispatch of business, for twelve months is a very short period in which to lose confidence in a Minister. As the position of senator was unremunerative it follows that only men of means and of leisure were eligible. The tendency therefore was to make the Senate aristocratic, and for the reason that the senators had a stake in the country they naturally enjoyed the confidence of the Assembly. The question of selecting the capital always appears to have been, and still to be, a difficult one in a federal union. Naturally there is a certain dignity and material advantage to be derived by the town selected. In at least two instances of modern federations it was found necessary to create a capital apart from any of the old towns, and in the case of the South African Union the novel expedient of dividing the capital into a legislative capital and an administrative capital and placing a distance of twelve hundred miles between them has been adopted, but there is little doubt that this expedient will prove to be unworkable and probably only a short time is required to prove its inefficiency

Character of  
the Assembly.

The Achaian League selected Aigion because it was recognized as the most important of the old towns after the destruction of Helike. But in later years as larger and more important cities joined the confederation, Aigion dwindled in comparison into quite an insignificant town. This had its advantages, one of which has already been stated, namely that of restricting the attendances at the Federal Assembly to the more responsible class; yet it appears to have created a certain amount of jealousy among the other towns, and eventually resulted in the federal capital being created a movable one. Federal Assemblies were thereafter held in every city in the League in turn.

Personal  
element.

It is a noteworthy fact that human ingenuity has as yet failed to contrive a form of government in which the personal element is not the most important factor. No constitution has yet been found which has successfully eliminated the personal equation. That of the Achaian League was a bold attempt at this, but it failed as those of Great Britain and of the United States have failed. We find that for a period of thirty-three years the strong personality of Aratos dominated the Achaian confederacy, and stood out even above the Constitution itself, although he conformed most loyally to all its dictates. It was due to this remarkable man's championship of the Constitution that he and it achieved a lasting distinction. The influence of Aratos was sufficient for him to have torn the Constitution to shreds, or to have made it a dead letter and to have created himself tyrant of Achaia. When out of office the influence of Aratos was almost as strong as when in office. As proof that this federal constitution, though admittedly a strong one, was yet not strong enough to withstand a weak Administration we find Polybius protesting against the inefficiency of the General Epêratos who held office 218 B.C. This year of office was noted for the weakness of its Administration. According to Polybius this General was obeyed by nobody. "Everybody despised him, nothing was ready."

Summary of  
Constitution.

The sum total of this, one of the first authentic federal constitutions of the working of which we know anything, is then, 1st, that the sovereign power was vested in the people; 2nd, that the Constitutional Head was an officer

elected annually by a direct vote of the people. In this respect his position more closely resembled that of the Prime Minister of Great Britain than that of either the President of France or of the United States, inasmuch as he held a seat and had a voice in the legislature, whereas they do not; 3rd, the Ministers, ten in number, were also appointed by a direct vote of the people for a like period. The nearest approach to this custom in existing constitutions is the practice in Great Britain of a member of the House of Commons being raised to Ministerial rank, having to seek re-election at the hands of the constituency; 4th, the Senate, whose functions approximated more to those of the British Government than to either those of the Senates of France or of the United States, was elected by a direct vote of the people at a session of the Federal Assembly; 5th, the Federal Assembly consisted in theory of the male population of thirty years of age and over residing within the confederacy; 6th, the Federal Parliament, consisting of the General (President), Ministers, Senators (Government), and Assembly, whilst having supreme authority in all federal matters, had no authority or jurisdiction in state affairs. Each city (state) was ruled by magistrates elected annually by the city (state) assembly which consisted of the male inhabitants who had reached the age of thirty years. This assembly legislated on all matters appertaining to the city (state) but had no power in federal questions.

It is doubtful in what manner federal revenue was raised, *Taxation*. whether by direct federal taxation or by a levy upon each city. There are certain passages in Polybius which infer that the latter means was employed. The only heavy federal expenditure would be during war. The preparation for war in the days of the Achaian League was comparatively an inexpensive matter.

The only reference made to a federal judiciary, which *Judiciary*. confirms the opinion that such existed for the benefit of the federal union, is the following passage in Polybius (II. 37): "So great a unity was effected here that not only the community of allies and friends was brought about, but they made use also of the same laws, and weights and measures and coins, and besides all this, of the same magistrates, senators and

judges, and in fact Peloponnesus as a whole differed from a single city only in this, that its inhabitants were not included in the same surrounding wall, while all things else were the same and similar both in a public respect and for individuals in their different cities". The father of the historian who penned that passage was one of the statesmen of the confederacy, and Polybius himself was contemporary with its last days.

Dissolution  
of the League.

The League was dissolved 146 B.C. having lasted for a period of one hundred and thirty-five years. The dissolution of this confederacy was due to both external and internal agencies. Owing to the character of her people, and also perhaps to her seaboard being commanded by other states, the confederacy was unable to become a sea power, as Phœnicia, Athens, Carthage, and Rome had been or were. The city of Corinth, more strongly democratic than the other units of the confederacy, seceded in the year 223 B.C. Yet this was only thirty years after the federal union began to act an important part and seventy-five years before its dissolution. With the growth of the Socialistic movement and the elimination of the aristocratic element we can trace the decay of the confederacy. Whilst the Federal Assembly retained by indirect means, allowed under the Constitution, a strong element of aristocracy, it prospered and gained strength, but this element was doomed to disappear and a resolution finally eliminating it from the Assembly was carried by Philopoinên when President for the fifth time in the year 189 B.C. This resolution created the capital a movable one. The half-yearly session of the Federal Assembly was held thereafter in each city in turn. The legislation now assumed a more Socialistic nature. Demagogues were elected to the Senate. In this year Sparta seceded from the confederacy and six years later Messene followed. Now it was that Rome at her zenith, exercising a vigorous foreign policy and having the command of the sea, completed her conquest of the Peloponnesus and reduced Achaia to a mere Roman province. It was Roman policy to dissolve a federal union which might at an inopportune moment regain its old vigour. Romans realized clearly that a constitution which had governed well for over a century was a dangerous instrument when compared with their own



system of government. Thus the Achaian federal union passed away but its constitution remained as a beacon light for political students of the future.

The next step in advance of the Achaian Constitution, <sup>Lykian confederacy.</sup> and an approach to representative government, was made by a federal union of twenty-three Asiatic cities of Lykia. The Constitution appears to have been devised by statesmen who had carefully studied the Grecian federal constitutions about the year 168 B.C., the year that Lykia and Karia secured their freedom from Rhodes. The Lykian Constitution has some interest for British statesmen by reason of a strong resemblance existing between the relationship of Lykia to Rome and that of Canada, Australia, and South Africa to Great Britain, for although Lykia claimed a nominal independence there is no doubt that it looked to Rome as the mistress of the seas to maintain that nominal independence. According to Strabo (xiv. pp. 664, 665): "the confederation of the Lykians consists of twenty-three cities which come together in a common council through their delegates at any city which they see fit to make their place of meeting. The largest cities have three votes each, those next to them in population two, those in the third rank one. There were six cities mentioned as the largest. The contributions and other services are in the same ratio as the votes. In a Council a Lyciarch is first chosen, then the other magistrates of the confederation. Courts of justice also are appointed by common vote. Formerly they consulted on war, peace, and alliance, but, naturally, now they are under the Romans, they can do this no longer. In like manner also judges and magistrates are chosen in proportion to the votes from each city." Strabo goes on to make it quite clear that the offices were distributed in such manner that every town should have its share according to its scale of population. This interesting confederacy continued down to the reign of Claudius, when owing to internal discord it was constituted, in the year A.D. 43, a Roman province.

Some slight reference to the Ætolian confederacy is <sup>Ætolian confederacy.</sup> necessary as an illustration of the influence that environment has upon the political morality of a people. The Ætolian league was contemporary with that of the neighbouring

confederacy of Achaia. It is difficult to fix the date of its inception, but as Xenophon in writing of the Achaians (391 B.C.) does not make mention of the Ætolian confederacy we must infer that at that date it was of little importance; but we know that they took part in the Lamian War 323-2 B.C. as a nation. The constitution of the Ætolian confederacy was similar in most respects to that of Achaia. It was a federal union of states, it was democratic, it also had its popular Assembly with a smaller Senate. With functions similar to that of the British Government, the Constitutional Head held the title of General. He was likewise Commander-in-Chief of the Forces and commanded in the field in time of war. There were but minor differences in detail between this constitution and that of Achaia; both contained an element of aristocracy, yet in the working of the constitutions we find a marked difference. The reputation gained by the Achaians through the administration of their constitution, was highly honourable, yet we find that the working of the Ætolian Constitution was directed to mere plunder and selfish political aggrandizement. Whilst the confederacy of Achaia was made up of cities, that is of states each of which had a popular capital entitled to the name of city, the Ætolian confederacy consisted of a federation of mountain tribes or clans. We can well understand that the tribal discipline would be stronger than that exercised within the federation, and as Mr. Freeman correctly states "a freebooting chief at whose call many warriors had enriched themselves with plunder would command a deference blinder, and more devoted, than was paid in Achaia or at Athens to the wisest and most eloquent statesmen". The environment of the Ætoliens militated against individualism as that of the Achaians was conducive to individual independence. Hence we find that the Ætolian tribesmen were subordinate in all things to their hereditary tribal chiefs. But the Achaian citizen knew no superior other than those he elected in open council annually. In theory the tribal chief had no greater say or influence in the state or federal assemblies of Ætolia than one of his tribesmen, but in practice it was impossible for the tribesman to divest himself, at an assembly which met but once a year, of his innate awe for the chief whom he was accus-

tomed to obey daily. Therefore, as the federal assemblies of Ætolia, theoretically supposed to consist of the manhood of Ætolia, in practice were constituted of the tribal chiefs, the tribal custom of plunder would sway their federal policy. As a federal union was created for defensive and offensive purposes their administration never went beyond those two questions.

We find in these two unions an object-lesson of some value in applying principles for future government. Here <sup>Contrast between Ætolians and Achæians.</sup> were two confederacies running concurrently, geographical neighbours employing constitutions similar even to detail: the one gained a lasting reputation for its wisdom in government and its excellence of administration whilst the other has only left behind it a name for ineptness and disunion. The lesson taught is that a people must first be moulded to the constitution that is to govern them. Had the Ætolians been first of all prepared for their Federal Assembly by an exercise of individual liberty within their local assemblies, thus breaking away from the tyranny of their tribal chieftainships, there is no reason why their federal constitution should not have attained a success similar to that of their neighbours. It follows then that a people must be judiciously prepared for the constitution that is to govern them. The most excellent, enlightened, and liberal of constitutions given to unenlightened and unprepared people can only work ill, as will be further demonstrated as we proceed with this work.

## CHAPTER II.

### ROMAN GOVERNMENT.

Rome.

As the object of this work is to review those constitutions originally framed by peoples for their own government but who, by force of circumstances, were compelled to extend their provisions to embrace the government of allied or subject peoples, it will be obviously incorrect to limit the survey to the few federal systems which history records. As Rome held the proud position of being for a period of over 600 years undisputed mistress of the then known world, as her administration and garrisons were spread over Europe, were found in portions of Asia and Africa, and as in her zenith these governed a population of over one hundred and twenty millions of people, it may not prove unprofitable to examine a system of governance which held together from 188 B.C. (the battle of Zama) to A.D. 476 these extensive possessions and varied peoples.

For 250 years, from the founding of Rome in the year 753 B.C., the progress of the Romans was slow; their character was being formed by adversity for the great and wonderful part they were to play in the history of the world. They struggled around their mother city against the neighbouring nations. This continued strife was productive of two things: firstly, it made this growing nation expert in the use of arms and in warfare, strong and self-reliant; and secondly, it made the nation homogeneous and patriotic. This world power to be, like others that followed it, was born and reared in adversity.

The second period of 250 years bore the fruit of the seed sown during the preceding two and a half centuries, for during this time some of her greatest men flourished; her realm was extended throughout Italy and she was now in a position to



extend her boundaries abroad. The third and last stage of the commonwealth, a period of 200 years, was filled with victories and conquests. It was now that she contended in a life and death struggle with Carthage, a nation as ambitious and as stubborn as herself, for the mastery of the world. The duration and bitterness of the Punic Wars were due to each power believing that the destruction of its adversary was necessary for its own safety. Rome on more than one occasion was ready to sink, but she was supported by the steadiness and wisdom of her Government, and this reacted upon the people and the fighting forces. Carthage was eventually subdued, and Rome became the mistress of the world and turned the current of history from the East to the West.

The early form of government adopted by the Romans <sup>Early</sup> was an elective monarchy, the electors being a patriarchal <sup>monarchy</sup> aristocracy. After the invasion of the Sabines there was a union with that people, the sovereignty being held by rulers chosen from each, but it was not long before Rome became the head of a federal state. The Tarquins established a monarchy which, rapidly degenerating into an oppressive tyranny, led to rebellion and brought into being the republic, 508 B.C. At this time Rome was still in her infancy, the territory ruled being but forty miles long by thirty broad. Under a monarchical form of government the character of the people was moulded and those institutions were created, which under a commonwealth constitution were to expand her power. With the banishment of Tarquin and his regal power from Rome a new government was established. It was unanim- <sup>and republic.</sup> ously agreed to create, in the place of kings, two consuls whose term of office should be for twelve months only, according to a suggestion discovered among the memoirs of Servius Tullius; they were, however, to be chosen from among the patricians. These two officers had for some time a power almost equal to royalty itself. They were the head of the Senate, and the people and all other officers were subordinate to them. They administered justice and disposed of the public money; they convened the Senate and assembled the people as they pleased; the military forces of the commonwealth were levied by them and they appointed the officers or dismissed them at

will; and they treated directly with foreign princes and their ambassadors.

Consuls.

The title of Consul, however, reminded them that they were not so much the sovereigns of the commonwealth as the councillors. Their insignia of dignity was that worn by the late monarchs, except the gold crown and sceptre; their oath of office was that the Romans never more should be governed by kings; royalty itself was proscribed. The newly appointed consuls completed the Senate, which had been reduced by Tarquin from its original number of 300 to 160; new senators were created from among the plebeians with, however, the precaution of raising them to the dignity of patricians.

Constitution.

Shortly after the fall of the monarchy Tarquin sent ambassadors requesting the Roman people to restore to him his effects at Rome. The two consuls disagreed over this. Brutus was averse to the restoration whilst Callatinus was strongly in favour of it. It was therefore referred to the Senate where, after several days' debate, no decision could be arrived at. It therefore had to be referred to the Assembly which consisted of the adult freed men of Rome assembled and voting by centuries. At this session of the Assembly both consuls strongly supported their respective opinions. Callatinus at last prevailed and his resolutions were carried by the vote of one century.

The Constitution at this date (509 B.C.) was as follows:—

Two consuls or "prætores" elected annually by the freeholders voting by their classes and centuries (*comitia centuriata*). These officers were regarded as joint heirs of the kingly authority and as holding the "imperium" and the correlative right of auspices by direct transmission from the founder of the city.

Senate.

The Senate consisted of 300 persons appointed by the consuls for life. It had been under the monarchy an aristocratic body, but as we have seen, 160 plebeians were, on the creation of the republic, elevated to patrician rank and called to the Senate. In this respect there is a close parallel in Great Britain to-day of calling commoners to the House of Peers.

Assembly.

The Assembly consisted of every adult freed man of Rome

and met under the summons and the joint presidency of the consuls. By the senior consul the question was put and the voting took place "curiatim," the curiæ being called up in turn. The vote of each curia was decided by the majority of individual votes, and a majority of the votes of the curiæ determined the final result.

But as we have seen from the power vested in the consuls there remained practically no legislation reserved for either Assembly or Senate; as legislative bodies they were mere shams, except at the annual election of the consuls. Then only could either body make itself felt and heard.

The Constitution, as the outcome of a compromise between patricians and plebeians, was both aristocratic and democratic; that is, it contained the elements of both; but whilst the former was in the substance the latter was but of the shadow. This resulted in that trouble which, according to Mommsen, lasted for two centuries. It was not a struggle between a conquering and a conquered class, or between an exclusive citizen body and an unenfranchised mass outside its pale. Patricians and plebeians were equally citizens of Rome, sprung of the same race and speaking the same tongue. The former were the members of those ancient "gentes" which had been the principal families in the small communities which preceded the united states and which claimed by hereditary right a privileged position in the community.

Only patricians could sit in the Senate. This difficulty was overcome, as it is in Great Britain to-day, by raising the plebeian to patrician rank; but, as is often experienced in England under similar circumstances, the newly elevated peers displayed greater arrogance towards the class they had sprung from than those with centuries of ancestry behind them. Still, this judicious and occasional strengthening of the nobility, especially when selected from among the leaders of the democratic party, had the effect of keeping that section in the weaker position just as patents of nobility will always keep Socialistic and republican parties within safe bounds in the British Empire.

Within the first fifty years of the consulate certain concessions were made to the plebeians, the most important

Domestic  
contests con-  
tinued during  
the wars,

being the appointment of *tribuni plebes*, that is magistrates elected annually from among the plebeians and authorized to protect them against the consuls. These were at first two in number, then increased to five, and by 449 B.C. we find ten. Some such concession would appear to have been essential, for the consuls, always drawn from among the patricians, naturally favoured that class in their governance. It is during this struggle between the two classes, a struggle which lasted for two centuries, that we meet with a property qualification for the Roman franchise. In 471 B.C. the plebeian law was passed which formally recognized the plebeian *concilia* and established the right of tribunes to propose and carry resolutions in these assemblies. But these assemblies differed from the Roman Assembly of the People already referred to, inasmuch as the voting took place by tribes ("tribute") and not by curias or centuries; membership of a tribe was only allowed to freeholders. It was, therefore, the policy of the plebeians to increase the number of freeholders if they were to have any influence in the governance of the country. To do this they endeavoured to create freeholds on the common lands. In this they were bitterly opposed by the patricians who up to now had enjoyed a monopoly of these lands, and thus we see that a dispute which is common in many of the self-governing colonies of the British Empire to-day was being waged in ancient Rome two thousand four hundred years ago. The dispute between these two classes continued down to 287 B.C. when the legislative independence of the plebeian Assembly was secured. But whilst Rome suffered from internal political strife her territorial expansion was in no way neglected. If anything, the domestic strife left the generals free to lead their legions into such countries as it paid them to conquer, and we hear of at least one general, Q. Fabius Rullianus, not awaiting orders from Rome but plunging through the wilds of the Ciminian forest and sweeping with fire and sword the rich lands to the North. The Roman army by being continually in the field and moving further away from Rome lost touch with the governing power; it was able to live upon the country and to pay itself from its conquests. The generals began to realize that the power of Rome was centred in their own hands and not

and enhanced  
the power of  
the generals.



in that of Parliament. Domestic strife between the political parties at home blinded the statesmen of Rome to the grave danger which was threatening the republican Constitution; in the excitement of party politics the generals had been allowed to usurp power which should have been retained. We will now see how imperceptibly this transfer of power came about. The citizen soldiers of early Rome were commanded in the field by the men whom they had chosen to be their chief magistrates at home and under the republic. Except when a dictator was appointed, the chief command of the legions was in the hands of the consuls of the year. But as the military operations increased in area and in distance from Rome a larger staff became necessary and the inconvenience of summoning home a consul in the field from an unfinished campaign became intolerable. It was therefore decided to prolong for a further period the term of office of the consul. It was this very amendment of the Constitution which gave the ascendancy to the Cæsars and proved their chief prop. During the period of war and conquest 265 B.C. to 146 B.C. the Senate had been gaining the ascendancy, although in theory the Assembly was the governing power. Certain causes, both internal and external, had been at work which gave the actual power into the hands of the aristocratic party. The voters in the Assembly, a numerous and widely scattered body, many of whom were always away with the legions abroad, could not be readily assembled. The Senate, on the other hand, could be called together at short notice, and it was constituted of all the skilled statesmen and soldiers of the commonwealth. Then the severe contest with Carthage made the populace agree to innovations they otherwise would not have sanctioned. The subordination of the magistrates was equally the result of circumstances, for as the number of magistrates and the area of government increased, some central controlling power became absolutely necessary to prevent collisions between rival authorities, and to secure a proper division of labour, as well as to enforce the necessary concert and co-operation. Under the republican system it was only possible to find such a power in the Senate. But legally the Senate was not the governing power. The new functions taken over by that body were in reality

Unconstitu-  
tional aggran-  
dizement of  
the Senate.

unconstitutional, and like all usurped powers they were, being unconstitutional, inherently weak. With the overthrow of Carthage at Zama there disappeared the shadow which had overhung Rome for so long and which had made all domestic differences appear so trivial that the Senate could do no wrong. But from 146 B.C. down to the dictatorship of Cæsar we find one long record of internal strife between the people and the Senate. The small freeholders had been ruined by continuous war, and peace had brought no revival of prosperity. The heavy burden of military service still pressed upon them. The fiscal policy too was detrimental to the people, for they were called upon to compete with the foreign corn and produce imported from beyond the seas free of duty. Farming, the one industry which had bred the men for the legions that had expelled the invader, now became unprofitable, and therefore the small farmers left their holdings to waste and went into the cities to swell the growing mass of malcontents. But Rome was to be saved from herself. Under wise government a ruinous policy was to be abandoned.

The dictatorship of Cæsar, brought about by unconstitutional government, began with his victory over the senatorial forces at Munda, 45 B.C. Under Cæsar the old Constitution was repeatedly disregarded or suspended. The interregnum between the death of Cæsar and the formation of the Empire by Octavian was a period of anarchy and bloodshed.

In the year 27 B.C., by the general consent of Rome, Octavian was entrusted with the task of establishing a government which should, as far as possible, respect the forms and taxation of the republic without sacrificing that centralization of authority which experience had shown to be necessary for the integrity and stability of the Empire. At the early age of thirty-five this man undertook the immense reorganization, not alone of Rome herself and of Italy, but of those vast possessions her arms had acquired in the previous two and a half centuries.

He realized that not only was a strong home policy essential but a personal and intimate system of government necessary in the colonies if the Empire was to be kept together. There were already many signs of its imminent disruption unless something was immediately done. The

The Constitution restored under Augustus.

His reforms.

cities of Rome and Italy were overcrowded, the freeholds once so productive were now neglected and overgrown owing to a fiscal policy which gave an advantage to a more favourably situated foreign competitor. So the overcrowded cities were drawn upon for men who were sent out to form colonies. An alteration in the fiscal policy was effected by the imposition of the *portorium* (*quingagesima*), a customs duty of 2-per cent on all goods imported. Octavian assumed control of the Empire under the title of Prince of the Senate and as such was given the name of Augustus. His position with relation to the Senate had been made difficult by Cæsar having tampered with it for his own ends. Augustus realized that to make his reforms effective he must begin with the Senate itself. Cæsar, to weaken and degrade the governing power of this body had increased it to 1000 persons, he had admitted Gallic soldiers and sons of freed men. Augustus worked judiciously and he succeeded in making three successive revisions 28 B.C., 18 B.C., A.D. 14, ultimately reducing it to 600. By his first revision he reduced it by 200 and instituted a property qualification for a senator of £10,000.

Augustus began his long and prosperous reign by immediately making a bold bid for the confidence of Senate and people. He gave back to the Senate and the Roman people the armies and provinces, and formally resigned the arbitrary powers of the triumvirate, restoring the republic. But he was persuaded to retain half of the provinces under his own direct rule, leaving the remainder to be administered by the Senate. Those of the Senate were the older and more settled, viz. Africa and Numidia, Asia, Achaia and Epirus, Illyricum (which at this period meant Dalmatia), Macedonia, Sicily, Crete and Cyrenaica, Bithynia and Pontus, Sardinia (with Corsica) and Bætica. Those retained by Augustus as imperial provinces and for whose defence he was responsible were Tarraconensis, Lusitania, Narbonensis, Lugdunensis, Aquitania, Belgica, Germania Superior, Germania Inferior, Syria, Cilicia, Cyprus, and Egypt. In this division of the states or colonies we have a parallel in the British Empire to-day which will become more apparent as the administration of the senatorial and imperial colonies is considered. The imperial provinces called for the continual presence of troops; the Rhine frontier alone took 80,000 soldiers to guard

and hold ; but we shall also see that in practice the Emperor had the same absolute power over the senatorial provinces as he had over those which were constitutionally acknowledged to be his. We find that by this time certain powers had crept into the Emperor's constitutional position which it is difficult to trace to their precise origin. Decision as to war or peace lay exclusively with him ; he alone had the right to make treaties with independent states, to found colonies or alter the status from Latin to Roman or from municipium to colony ; and the authority for bestowing the franchise upon individuals was vested in him alone. In the earlier days of the republic a law had to be passed in the Assembly and ratified by the Senate to deal with any of these matters, but as the legislative functions of these bodies became atrophied the powers were usurped by the dictators and assumed as a matter of course by the Emperor.

His scheme  
of taxation.

Augustus founded a separate imperial treasury into which all taxes raised in the imperial provinces were paid. There were also certain monies derived from the senatorial provinces which went into this treasury. A large revenue was derived from the mines—gold, silver, copper, and cinnabar—all of which were State owned. As most of these were situated within the imperial provinces the revenue went into that treasury. All expenditure upon the army and the administration of these provinces was borne by this treasury. The exchequer was under the control of the Senate but was entirely separate from the imperial treasury, and its revenue was derived from such State-owned mines as were within the senatorial provinces and by such taxation as was levied in those provinces.

Both exchequer and imperial treasury derived revenue from the following taxations, each from their respective provinces:—

	Per Cent.
Vicesima libertatis—franchise tax . . .	5
Vicesima hereditatium—legacy duty . . .	5
Centesima rerum venalium—sales by auction .	1
Stipendium—the fixed tribute paid by a district raised by poll tax.	
Tributum capitis—poll tax, this varied.	
Tributum soli—land tax, this varied.	
Portorium—customs duty . . . . .	2 to 2½



During the reign of Augustus and during those of many of his successors the revenue derived from the State-owned mines must have been considerable. What Peru and Mexico were to Spain in the sixteenth century, Spain herself was to the Romans; she was the source of luxury which eventually brought about the decay of Rome. The lesson she inadvertently taught was not, however, taken to heart by her sons centuries later, for she followed the same road.

It has been noticed that in questions of finance the two orders of colonies were kept distinct, and this also applied to judicial appeals, for whilst appeals from senatorial provinces were dealt with by the Senate, all appeals from imperial provinces went direct to the Emperor and were dealt with exclusively by him without any reference to the Senate.

The governors of the senatorial provinces were appointed by the Senate, but the term of office was restricted to the short period of one year, the object being to preclude the danger of a governor securing sufficient influence within his province to proclaim a dictatorship and secede. These governors enjoyed no military authority whatever nor any jurisdiction over the military forces within their provinces. The governors of the imperial provinces were appointed by the Emperor and retained their office during his pleasure. Very great power was given them, but right of appeal, in the case of the subject, direct to the Emperor was recognized. The imperial governors were in supreme command of such military forces as were stationed within their provinces.

The Senate under Augustus differed somewhat in its working from what it had been under the republic. It now became the legislature and the high court of justice. We find that as a judicial body it was not restricted to the trial of senators or high officials, but ordinary criminal cases were occasionally taken before it, and it also heard civil appeals.

Augustus introduced the Cabinet system into the Senate. The first arrangement was that this Cabinet or Council (Concilium) should consist of the two annually elected consuls, a member of each magistracy and fifteen senators selected by ballot. This Cabinet was renewable every six months, but as this period was found by experience to be too short and proved inconvenient, the period was extended to a

year and the senatorial representatives were increased from seventeen to twenty. The duties of this Cabinet were to examine and prepare questions for the Senate.

In the earlier years of Augustus's reign he was in the habit of attending the Senate in person and there he occupied a seat between the two consuls, although his voice was but that of a senator. We can well understand that his presence influenced the proceedings, but in later years, as his power became more permanent, he made it a rule to transmit his wishes or opinions in writing in the form of messages from the throne.

Civil Service. Upon the formation of the Empire, Augustus, himself a capable man of affairs, was greatly handicapped in the organization of imperial machinery by the absence of any official class upon which he could draw for capable instruments to carry into effect his policy of imperial government, and it was many years before, greatly due to his tuition, this class came into being. He was, therefore, thrown back upon the Senate. All the important posts were given to the senators, but Augustus had even these men trained, and they had to go through an official career in which promotion was gradual. A senator anxious for official rank and honour would commence as a junior magistrate, then would pass through several grades of magistrates. He had then qualified for a provincial governorship, after which followed a curatorship, until finally he reached the prefecture of the city. As is sometimes the case in the British Empire the governor of an imperial province would be transferred to a senatorial province and vice versa.

Having reorganized the constitutional institutions at home Augustus now set himself to prepare the machinery for the smooth working of the diverse countries which went to make up his empire. His policy was to keep his empire within its bounds and this was the policy he recommended to his successors. Unlike the British Empire of to-day the Roman Empire was a geographical whole, its population of 120,000,000 were congregated round the Mediterranean with that great inland sea to form the interior line of communication and a regular army of 400,000 men augmented at short notice by 6,000,000 of auxiliaries in case of need, to secure the sub-

mission of its multifarious inhabitants. Being an empire of pure conquest it allowed no independent state to remain in its path : it expanded on all sides.

Augustus first set himself the task of organizing the Gauls. <sup>Government of Gaul.</sup> He commenced with the taking of a census and upon this he apportioned the taxes, both poll and land, upon an effective and just principle. He bore in mind the fact that the conquest of some of the tribes within this province was but recent and that their Romanization to be successful must be gradual. He therefore retained their old and long-cherished institutions, or at all events those which would not make for secession, and made use of them for his own ends. He did not in any way interfere with the tribes ; on the contrary he created them the units for taxing purposes. But federated tribes he judiciously separated so as to render national combinations all but impossible. For taxing purposes the quota of a tribe was fixed at so much and this was handed over to the Roman officials. That portion of Gaul between the Alps and the Apennines Augustus organized on the tribal system, and he fixed the number of Gallic civitates at sixty, each civites being subdivided into four or five pagi or cantons. Augustus appears to have, wisely as the result shows, encouraged a certain amount of local autonomy ; the governing body of the tribe was authorized to appoint a prefect in each canton, Three Roman colonies were formed in this portion of Gaul, two in Belgica (Nyon, and Augst near Basle) and one in Lugdunensis (Lyons). We must admire the diplomacy displayed by Augustus in the policy laid down for the pacification of these sixty peoples. Their tribal susceptibilities were even turned to good account. Unlike other portions of the Empire they were not called upon to supply soldiers for the legions, but their manhood was not neglected as fighting material, for Augustus founded an auxiliary forces system, the units of which were recruited from among the Sixty Peoples, as the inhabitants of this portion were now officially termed.

That portion of Gaul which bordered on Italy was treated somewhat differently. It was very quickly Romanized for it was more easy of access from Rome and colonies were there founded in some numbers.

The policy of pacification, so energetically applied by

Augustus, altered the whole aspect of Gaul; the very face of the country underwent a rapid change. By relieving the manhood of military service at some extremity or other of the Empire, the energies of the people were converted into making a naturally rich country truly prosperous. Centuries of war, internal when at peace with neighbours, or combined against a would-be invader, had made the people neglect their very fine waterways. Under Augustus these were now utilized. Villages built on mountain sides or hilltops for defensive purposes now climbed down to the river sides and rapidly grew into towns. Under British imperial government the railway is recognized as the most effective civilizing agency; where it runs sloth disappears. Roman government estimated the Roman road of value in the same respect and an equally valuable result was achieved. Roads were made across the country in every direction, with Lyons as a centre. This policy developed the inland towns of Gaul and revolutionized the economic conditions of the country, just as to-day we see how the railway-building policy in Canada has altered the economic condition of that part of the British Empire.

The administration of Augustus developed such river ports as Paris and Lyons and these became great emporiums of trade. The rivers developed into waterways for fleets of commerce bearing cargoes, and we find that within a few years under this wise imperial government the country of a subjected people became under a conqueror a hive of activity, stimulated to production. Their Roman masters protected the producer by an import duty of  $2\frac{1}{2}$  per cent on all goods imported into Gaul. The attitude of Augustus towards his new subjects was not unlike in certain respects that originally followed by British statesmen in India, but the policy of Augustus and his successors grew with the people to be ruled. The institutions and customs of the Gauls were not interfered with; changes calculated to make the work of assimilation too obvious, were at first avoided; and as with British government in India, the only interference with the national religion of the Gauls on the part of the Romans was the abolition of human sacrifice.

Latin towns,

It will be necessary here to describe the difference between Latin towns and Roman colonies. We have already re-



marked that imperial authority was required to raise the status of a Latin town to that of Roman colony. The ladder of status existing to-day in the imperial government of the British Empire is but an unconscious imitation of the imperial government of Rome. In the latter case it was systematized and was part of a well-conceived organization. The Roman grades of colonies were provincial, Latin, and Roman colonies. The provincial colonies were governed very much as the crown colonies of Great Britain are to-day, and they had but few privileges except in local matters. The next step for the provincial colony would be to obtain Latin rights, which consisted in this, that every magistrate, and later on every member, of its provincial council became *ipso facto* a Roman citizen as soon as his term of office expired. The next step would be to that of Roman colony, which was in theory and in law another Rome, except that its inhabitants paid both poll tax and land tax. The full Roman franchise was then enjoyed, and every citizen of a Roman colony was eligible for office at Rome, and could not be executed or flogged without appeal. Here we see the value of an imperial franchise. It was looked upon with a pride which extended to the conquered races; the grandsons of the Gauls who had besieged Julius Cæsar in Alesia, through the judicious application of this imperial franchise commanded Roman legions as Romans, governed provinces, and were admitted into the Senate. Their ambition was directed into qualifying for this imperial franchise, and therefore instead of disturbing the tranquillity of the Empire they were intimately connected with its safety and greatness. A parallel to-day may be seen in the commander-in-chief of an army at war but ten years ago with the British Empire sitting in His Majesty's Privy Council, and a number of those who besieged the British imperial troops at Ladysmith now sitting in the imperial colonial parliaments. But the lesson taught us by Augustus in placing great value upon an imperial franchise has not yet been taken sufficient heed of; that will be dealt with at a later stage.

A provincial or Latin did not possess the power of appeal, nor could he hold land in full quiritian ownership, and was not eligible for Roman office. We therefore see how the process of Romanization under Augustus was spread over

Gaul. But this much-coveted imperial franchise was also given as reward for good service, and a man from a provincial or Latin colony could obtain it by entering a legion. The status of the army was thereby raised. Under British imperial government the reverse is the case; a soldier is disfranchised. In the Roman auxiliary forces twenty years of service brought with it the imperial franchise to an individual whose colony was not enfranchised.

It took but five years of imperial government under Augustus to Romanize Narbonensis, that portion of Gaul bordering Italy, and in 22 B.C. it was handed over to the Senate.

Pacification  
of Spain.

Having organized the imperial government of Gaul and laid down that machinery which would Romanize these provinces in a smooth, pacific, and efficient manner, Augustus now turned his attention to the provinces of Spain, but here his task was more difficult for these provinces were yet the scene of strife; the subjugation of the wild mountain tribes was not yet complete, and Augustus had to take the field at the head of his legions against the Cantabrian and Asturian highland tribes. He at the same time pushed on his policy of road making which had the twofold effect of lightening the burden of his campaign and of pacifying the country behind him. Augustus kept the field for eighteen months, at the end of which time he considered the country peaceful enough to leave it to the provincial governors to Romanize under his policy. He disbanded certain of his legions, the soldiers of which were given holdings of land; these formed Roman colonies and acted as centres of civilization from which his policy radiated. The military (afterwards commercial) roads diverged in various directions from these colonies and carried along with them the policy of production and progress.

The Romans had been engaged for two hundred years in conquering Spain and made but slow progress. Augustus completed the conquest in six years, more by means of his military roads than by the prowess of his legions.

Bætica.

The Spanish provinces were three in number, Bætica, Lusitania, and Tarraconensis. Bætica had been free from serious military operations for well over a century and had become Romanized; it was the one senatorial province in



Spain. At the time of Augustus's visit to Spain, 24 B.C., this province was carrying on a large and increasing trade with Italy in corn, wine, ores, oil, wool, and woollens. Augustus, ever versatile, turned his attention to developing this commerce, and it was not long before he had a regular fleet of merchantmen of the largest size plying between Ostia and Pieteoli. Pliny tells us that there were no fewer than one hundred and seventy-five cities in the province of Bætica; nine of these held the status of Roman colonies, eight were graded as Roman municipalities, and twenty-nine as Latin municipalities. For judicial purposes this province was divided into four conventus or circuits.

The province of Lusitania at this time had not progressed <sup>Lusitania.</sup> to the extent that the more favourably situated Bætica had. It was divided into forty-nine communities of which five held the enviable status of Roman colonies, one Roman and three Latin municipalities. For judicial purposes this province was divided into three conventus. The province of Tarra- <sup>and Tarra-</sup> <sup>conensis.</sup> conensis comprised considerably more than half of the Peninsula. The governor of this province held consular rank, in the same way as the governor of British India to-day holds the vice-regal rank as representing the Emperor in India. As governing an imperial province he was in supreme command of the legions. There were three legates (district governors) under him, each of whose districts was as large as an ordinary province. The Viceroy (as we will call him) besides being responsible for the general administration of this huge province administered justice at Tarraco and New Carthage and was also responsible for the whole eastern coast from the Ebro southwards. For judicial purposes this province was divided into seven conventus or circuits, each with an assize town at which justice was administered to the surrounding district. Of the one hundred and seventy-nine towns within this province (of which many were but villages), twelve held the status of Roman colony, thirteen Roman and eighteen Latin municipalities.

As in Gaul, Augustus's policy of pacification by ridding the inhabitants of Spain of war and protecting them even against each other stimulated trade and production, and the process of assimilation progressed successfully, while inter-

marriage of the disbanded Roman soldiers with Spanish women hastened the Romanization of these provinces. But language was recognised as one, if not the most important, agent in the assimilation of the subject races. Augustus was sensible of the influence of language over national manners; it became the most serious care of the imperial governors to extend, with the progress of their imperial master's arms, the use of the Latin tongue, and so successful were they in this by both direct and indirect methods that the native tongue of the subject races sank into oblivion.

Success of  
the Roman  
policy in Gaul  
and Spain.

The secret of the success of Augustus's imperial government lay in the fact that it adapted itself in the first instance to the conditions the subject races were found to have inherited; it respected the customs and institutions of the people it purposed governing as an empire and therefore the people were at the outset made aiders and abettors in this great policy, and eventually, by aiming for the coveted reward of the imperial franchise, they became missionaries of empire and guardians of the imperial constitution.

Policy in  
Greece.

By a brief survey of the imperial government of the three Gauls and the Spanish provinces we have seen how this colonial policy rapidly and efficiently wedded to the Empire peoples who were more or less in a state of barbarism.

We will now see how the elasticity and efficiency of this form of imperial government enabled the Constitution to extend to a people even more highly civilized than the Romans themselves and whose martial traditions were more brilliant than those of their conquerors. In extending his reorganized constitution to Greece Augustus realized—that is evident from the policy he adopted here—that he was dealing with a decaying nation. He and those who followed him made little or no endeavour to Romanize this portion of the Empire. Greece from the very first appears to have received exceptional treatment at the hands of her Roman masters. Its two leading cities, Athens and Sparta, were given the status of free cities, and many of the town states, such as Delphi, Abae, and Tangara, were allowed to retain their own constitutions, but Augustus stipulated that there should be anti-democratic provisions in these constitutions. In Athens this took the form of a revival of the powers of the Areo-

pagus. All those city states made and administered their own laws and were as near as it is possible to be parallels to the responsibly governed colonies of the British Empire of to-day. There were, however, certain cities and states in Greece which were not free or tax free, but which paid their quotas like other portions of the Empire. This was only consistent with the policy of imperial government to differentiate between units and to create a rivalry between them which prevented a dangerous homogeneity. Nothing proved more effective in this than a difference in status and an ambition to improve that status.

Achaia, the once proud pioneer of federalism, was now a separate province of the Roman Empire. Internal strife had kept her for a time an imperial province, but later she was given over to the Senate.

There were but three Roman colonies in Greece: Corinth, Patrae, and Nicopolis. The two latter were founded by Augustus after Actium, and were settled with the discharged soldiers of the tenth and twelfth legions.

It must be borne in mind that the occupation of Greece <sup>Decay of Greece.</sup> by the Romans occurred when that country was in a state of decay, and that the Roman colonization was at first an attempt to stay that decay. Augustus, however, realized the impossibility of this, and therefore there was an absence of those agencies which assisted in the successful colonization of Gaul and Spain. We see a somewhat similar parallel in the British occupation of India and Egypt to-day. There were, however, recrudescences such as the rise of Nicopolis and Patrae, but these were not lasting. They rose as Delos fell, just as we have seen Bombay and Calcutta take the place of Delhi and Agra. The glory of ancient Greece had disappeared and even the governing genius of Augustus could not stay the decay that had long set in—set in prior to her loss of independence by the desertion of her own sons; the history of that decay has been repeated in India. The intellectual pride of Greece reached a pitch at which the ambition of every young man was to follow either a profession or one of the arts; the ranks of architects, painters, sculptors, and schoolmasters were filled to overflowing, till there was no demand for the excessive production of these professions. Therefore, the

men deserted their country to seek fortunes elsewhere ; the profession of arms, the callings of production and trade were correspondingly deserted, and the country was laid bare to the invader. Greece died by neglecting to be ever prepared for war ; from one extreme she relapsed to the other.

Romans in  
Egypt,

When we come to review Augustus's Eastern policy we cannot but be surprised at the striking likeness between the motives which actuated that policy and the motives which so long after actuated a similar policy of British statesmen in the same quarter of the globe. Egypt was annexed by Augustus after the battle of Actium and was created an imperial province. Augustus undoubtedly had in view the converting of Egypt into a direct trade route between India and Alexandria, via Myos Hormos and the Nile. In this he succeeded, and for over two centuries this route was held in preference to the old Euphrates route. Augustus's policy here was to kill the Arabian markets and ports of call in order to benefit his own Red Sea ports. He totally destroyed the Arabian city of Endaeman (Aden). Exploring expeditions were sent by orders of the Emperor into Arabia and to the south along the Nile ; the object of the former was mainly to injure the Indian trade route, thus compelling merchandise to pass through Egypt. The Nile expedition was for the purpose of exploring the country and of protecting the frontier. This fixed a southern outpost at Assouan where three cohorts (1200 men) were quartered. A year later this post was attacked by the Soudanese and captured. We find here that the British occupation of Egypt is but a repetition of the Roman occupation of the same country. The Romans immediately fitted out an expedition of 10,000 men and despatched it under Petronius to punish the Soudanese for their attack on Assouan. This expedition, like one nearly two thousand years later, marched by land and water up the Nile to Marawee, captured and destroyed that town and left a garrison at Ibrim to guard the Nile. This post was attacked by the Soudanese 21 B.C. but it was relieved by Petronius who made a forced march from Cairo of nearly 1200 miles. In the year 20 B.C. peace was declared between the Romans and the Soudanese, and the Roman outposts were withdrawn as far back as Assouan.



Egypt under Rome, as it is under Great Britain, was held by military occupation. For two centuries Roman soldiers were stationed there, though towards the end of the second century one legion was considered sufficient. Under a settled form of government Egypt rapidly became one of the more important provinces of the Empire. We find her spoken of as the Roman granary of corn. Pliny the younger says "that the people of that country were proud to find that the conquerors of the world depended on them for their daily maintenance."<sup>1</sup>

It has been remarked that a large measure of Augustus's success in imperial government was due to his wise policy of taking every advantage of local material. The institutions which he found already existing in Gaul, Spain, and Greece, were all turned to good account in the future government of those provinces, but he found no such institutions in Egypt. It had long been a land of despotism and the people were not fitted for a more liberal form of rule. The imperial governor was therefore vested with all the powers of the ancient kings. In a minor way we meet with a similar state of affairs in the government of British African colonies to-day, where the British governors administer certain coded native laws as supreme chiefs over the natives. But the colonial policy of Augustus lived after him, for in A.D. 69 one Tiberius Alexander, a native of Egypt, was appointed governor of Egypt. To qualify him for the office he was made a Roman knight.

Augustus did not neglect any one part of the Empire for and in another in his scheme of reorganization, and he personally <sup>Asia.</sup> supervised the installing of his machinery for imperial government. In the year 20 B.C. we hear of him in Syria reorganizing from there the administration of Asia Minor. He withdrew the three legions that had been stationed along the frontier, preferring to hold that eastern boundary by a line of vassal or buffer states. The eastern half of Cilicia was added to the government of Syria and was garrisoned by Syrian troops. Augustus re-apportioned the taxes among the Asian cities, some of which had paid too little and others too much, and he also established a Roman colony in Alexandria Troads. At this time he extended the Roman influence by dispatching an army into Armenia and asserting

<sup>1</sup> Pliny's "Panegyric," s. 31.

suzerainty over that country, thus securing his eastern frontier. He likewise secured the northern frontier of Asia Minor by securing a vassal prince and declaring suzerainty over the Crimea. To this prince was delegated the duty of guarding the southern coast of the Black Sea on behalf of his imperial master. Syria was the base of operations for the Romanization of Asia Minor. In the year 15 B.C. the Roman colony of Berytus was founded and was formed mostly from time-expired men of the legions. The influence of this colony was spread far and wide. It became the seat of a famous Roman law university. We cannot help noticing how sparingly the imperial franchise was given in Asia Minor; only two towns had the dignity of Roman colony conferred upon them, viz. Alexandria in the Troad and Parium on the Propontis. There were no Latin towns or municipalities.

Prosperity of  
the Empire.

During the century and a half after the death of Augustus the steady and gradual consolidation of the Empire proceeded. The client states had one by one been reconstructed as provinces. The municipal system had spread widely. Throughout the Empire the extension of the imperial franchise prepared the way for the final act by which Caracalla assimilated the legal status of all free-born inhabitants of the Empire. The burden of military service was now transferred to the frontier provinces, and the legions were recruited from the erstwhile enemies of the Empire. The Romans themselves fell back into peaceful pursuits and gradually neglected the training of arms; they were content to enjoy the riches brought to them from the regions conquered for them by their forefathers, and only the echoes of the border wars reached the Mediterranean territories.

and its  
decline.

Whilst strong and able men occupied the position of Constitutional Head the Constitution worked as its designer had originally intended, but the flaw lay in the fact that there was no corrective in the Constitution itself for the faults and errors of a weak or corrupt ruler. The immediate successors of Augustus proved strong and able rulers, but each acquired additional power, and by the time Nero occupied the throne the Constitutional Head had evolved into a despot. The position therefore became the goal of every ambitious general in the



Empire. Between A.D. 211 and 284 twenty-three Emperors occupied the throne and twenty of these died violent deaths at the hands of mutinous soldiers mostly recruited from conquered nations. While rival generals were contending for the imperial throne the very existence of the Empire which they aspired to rule was threatened by foreign invasion. In A.D. 238 the Goths had appeared on the banks of the Danube. Seventeen years later they crossed into the Empire and overran Mœsia, Thrace, and Macedonia. Their fleets ravaged the seaboard of Asia Minor. During the century and a half of peace that followed the creation of the Empire, the Romans had been content to draw their corn and other necessities of life from Egypt and Gaul. The lands nearer home had been thrown to waste, the freeholder, the tiller of the soil, the farmer had been encouraged to congregate in the towns, and what had once been a prosperous farming class developed into a citizen class. Rome had become more and more dependent upon her late enemies not alone for the necessities of life, but for the material to man her legions and fleets. A long peace had brought with it the evil of over-confidence and the belief that war was a thing of the past. Excessive ease and luxury enfeebled the people and made them an easy prey for a less civilized but more hardy race, as the more highly civilized Greeks had been an easy prey under exactly similar conditions. In the third century we find that war—for which they were now unsuited—famine, brought about by unpreparedness, and plague had thinned the population. The several invasions of the barbarians between the third and fifth centuries were checked not by the legions of the Empire but by the inglorious method of bribing the invaders' leaders.

In the year A.D. 476, the Roman Empire formally ceased to exist. Its fall was veiled, like its rise under Augustus, by constitutional forms. The Senate by resolution resolved that Rome no longer needed a separate emperor. All that is useful for the purpose before us ends with the cessation of Rome as an empire. The Empire was born and was reared under war and adversity, it rose to its greatest height by a wise combination of military skill and statecraft. Its decay commenced by the decline of its statecraft, excessive peace and neglect of its military system.

## CHAPTER III.

### LATER DEVELOPMENTS IN GOVERNMENT.

Analogies  
between  
Greek and  
Roman  
Constitutions.

IN the preceding chapters we have made a rough survey of the rise and decline of two ancient powers, governed by constitutions theoretically opposite, though it will have been noted that in practice there were many interesting analogies between them, and close parallels to many points in modern constitutions. In this chapter we will briefly describe certain systems of government developed after the decay of the two nations already discussed, but prior to the creation of any of those constitutions in practice to-day. As the object before us is to lead up to the government of the British Empire, we will cite as the first example of a distinct advance on the Constitutions of Achaia and Rome, that of a people whose geographical surroundings, whose place among their neighbours, and whose rise to power were analogous to those of the inhabitants of the British Empire. In a brief review of their rise and of their system of government, it is believed that some profitable points for future guidance will be made.

History of  
Venice.

The early history of Venice is enveloped in mystery. It is sufficient for our purpose, however, to know that certain people from the mainland of Italy took refuge from Attila and his Huns among the isles and estuaries of the Adriatic Sea. This was in the year A.D. 452.

Venetians  
reared in  
adversity.

The physical conditions with which these pioneers had to contend were such as called for singular fortitude and resourcefulness. The soil was barren, salt-encrusted, and devoid of any mineral; there was neither timber nor shrub, and even drinking water was most difficult to obtain. Yet in this case, as in the history of other successful and masterful nations that have since risen to power, the very difficulties to be mastered and obstacles to be overcome developed the

character that was to make them (dwellers on a few bare rocks) for a time a world power.

The early Venetians succeeded, by industry, genius for commerce, and maritime skill developed by their environment, in laying the foundation of an edifice which towered above their neighbours; they made many of these neighbours their tributaries; they explored, by means of their fleets, distant shores; they consolidated a naval power which was unique in the history of the world, and they even controlled the destiny of empires.

The islets and lagoons which go to make up the Venetian archipelago were at first inhabited by refugees from the mainland. The legislative and executive power was delegated to elective magistrates holding the title of marine tribunes, but later the government developed into autocratic republicanism. In the year 697 it was agreed to give greater strength to the supreme power and more unity to popular representation, therefore a constitutional head was chosen under the title of Doge or Duke. The assembly at which the Doge was elected consisted of the whole of the populace. Although all the people enjoyed equal political privileges there were gradations of social rank, namely, *maggiori*, *mediocri*, and *minori*. Their political and social life.

In the year 737 the popular assembly resolved upon the abolition of ducal power and substituted for it that of a president whose term of office lasted for one year: but the inefficiency of the system and the inconvenience of an annual election soon became apparent, and in 742 the restoration of the office of Doge with life tenure took place. In the year 810 the people finally abandoned the mainland and made Rivo Alto with its surrounding islets the permanent seat of government. It was in this year that the town of Venice is said to have been founded.

From the year 811 to 1026, out of eighteen Doges fifteen were selected from the three leading families, the power thus tending to become hereditary. Elaborate attempts to eliminate all private agreements and to secure an impartial vote for a competent person by a combination of the lot and ballot were continually made. At first all the adult males cast their votes in the election of this constitutional head, but this custom appears to have given dissatisfaction to the people. System of electing the Doge.

Apparently caucuses were formed; at all events another system was tried. In 1172 the election of the Doge was left in the hands of the Grand Council. Here again it was discovered that party and family influence were being brought into play, so a further alteration in the system of election was made. An electoral college was formed consisting of forty members elected by four men, presumably members of the Grand Council; this college elected the Doge.

In 1229 this college was divided into two equal parts and the lot was used to decide between the persons chosen by the parties. Twenty years later the college was increased to forty-one to avoid using the lot. In 1268 still another method was adopted and this appears to have given satisfaction, as with slight alterations it continued. The members of the Grand Council over thirty years of age drew from a bag balls some of which were gilded and the rest plated. The thirty who drew the gilded balls cast the lot for nine of their number, and these nine appointed forty men of different families, seven of the nine voices being needed for a choice. These forty drew lots for twelve of their number, and these twelve chose twenty-five, each of whom needed to have nine votes for his election. The twenty-five cast lots for nine, the nine selected forty-five, each of whom needed seven voices for his election. This body of forty-five, after an oath to make choice according to their conscience, threw the names of the persons whom they wished for Doge into a vessel. The process was repeated until twenty-five votes were cast for one person.

The power of the Doge was restricted by the Grand Council, by his personal council, by the Quarantia, and later by the Council of Ten and by the Constitution.

He was debarred from leaving the republic except by authority of the two councils. He could not marry a foreign woman, and he could not appoint any relative of his own to a civil or ecclesiastical office.

THE GRAND COUNCIL.—This institution appears to have enjoyed legislative and executive powers, but like the procedure of electing the Doge, it underwent several changes in its evolution.

Originally the Grand Council was elected in this manner. The people were divided into six districts (sestieri). The

Machinery  
of govern-  
ment.

The Grand  
Council.



male adults of those districts elected twelve persons, each of these twelve selected forty men from his district as representatives in the Grand Council. The electoral college of twelve were not members of the parliament.

The life of this curiously elected parliament was for one year only, but the members were eligible for re-election. No elector could choose more than four of his kinsmen. This system of election was amended later. Instead of twelve electors they were reduced in number to four, but these four were allowed seats in the Grand Council.

THE MINISTRY.—In the beginning of the eleventh century The Ministry. the doge was required to have two councillors associated with him; these were increased to six appointed by the Grand Council.

At a later date this council was augmented by the addition of three heads of the Quarantia. This first Council of Ten, including the Doge as president, was termed the signoria, and had the executive power in its hands. At a still later date a further development was made, this smaller council being increased to twenty-eight by the addition of six "savi grandi" who represented the Senate or Council of Pregadi, six "savi di terra formia," the Home Department and War Office of the republic, and six "savi di ordinini," the Board of Admiralty. This is an important advance in constitutional history, and the position, with regard to the Doge and the Grand Council, is not unlike that existing between King, Ministry, and Parliament in Great Britain to-day.

THE SENATE OR PREGADI.—This was a council originally The Senate. small but which gradually developed into a Senate not unlike the British House of Lords. At first it was made up of persons invited by the Doge to assist him with their advice. They enjoyed no official power, and were selected from among the citizens; but as the aristocratic tendency grew the senators were selected from among the principal families. The Senate was again increased to sixty in number, and was chosen by electors nominated by the Grand Council. A still further development increased it to 300 of whom 120 were elected by the Grand Council; the remainder had their seats by virtue of office held in the state. Six of their number represented the Senate in the Ministry.

THE PRIVY COUNCIL.—A board of forty persons entitled

The "Quarantia".

the Quarantia. It was at first invested with higher criminal jurisdiction and also with appellate jurisdiction in civil and smaller criminal cases. Three chief justices presided over this council. Its functions gradually increased until they included advisory powers of various kinds. Propositions coming from the Ministry or signoria to the Grand Council were submitted to it for deliberation and advice.

Council of Ten.

THE COUNCIL OF TEN.—Yet another institution of this system of government was the Council of Ten, perhaps the constitutional body of Venice best known to history. This small council was instituted in 1308 and was originally an extraordinary commission appointed by the Grand Council to sit for two months to investigate certain conspiracies that were then on foot. Its life was continued by periods of two months until in 1335 it was confirmed as a standing institution by resolution of the Grand Council. Its functions might well be described as those of a high criminal court and a political detective department combined.

Its remarkable powers.

The members were chosen for one year and could have no family connexion with the Doge, nor could more than one belong to the same house. The powers developed by this small council were of such an extraordinary nature that, apparently through fear, they were enabled to usurp the powers of Doge, Ministry, and Grand Council: and while the Council of Ten existed the Doge was but a figurehead, and although in theory the constitution of this council, like the other institutions of government described, was strictly democratic, in reality it was formed on strictly aristocratic lines. Aristocratic tendencies had crept into the Constitution at its conception, this being due no doubt to the fact that many of the original refugees from the mainland were of noble families. These prospered on the seaborne commerce of Venice, and, other families springing into prominence, a commercial aristocracy was created which for the purpose of furthering the cause of its own class had all the attributes and characteristics that had furthered the cause of the country, and as can be seen by the Constitution, it met with no small measure of success. Yet here, as in the case of Rome, bitter strife existed for centuries between the aristocracy and the democracy, and this strife and incipient rebellion was the cause of the Council



of Ten. This council was the outcome of a revolutionary rising caused by an arbitrary measure which openly aimed at making the Grand Council an aristocratic and hereditary Chamber. Up to the year 1297 the aristocracy had been steadily gaining power. The trade with the East which the Venetians had developed had practically become a monopoly and was controlled by the aristocrats. The slight control of annual election which the people had was shaken off bit by bit. The twelve electors had fallen into the hands of a few families and these reserved to themselves the right of re-election, hence the Grand Council became in practice permanent or hereditary, though there still remained the possibility under the Constitution for any citizen of ability, however low his origin or humble his condition, to find his way into this assembly. This possibility was to be done away with for ever. The aristocratic party increased in wealth, in power, and in importance so gradually but so surely that they were able to form laws to their liking and execute them in their own fashion. It was now resolved to admit into the Grand Council only those whose fathers or grandfathers had been members of that council. As a concession to the democratic party certain persons who could not conform with the new measure were admitted by favour and on sufferance, but this concession gradually died away. The powers of the Doge were again reduced and the people were completely dispossessed of the say they had had in the choice of their constitutional head. This measure, creating an absolute oligarchy, was brought forward and carried by the Doge Gradenigo in the year 1297, and was known as the "closing of the Grand Council". The result of this measure was to divide the citizens into three orders:—

1. Those who had never been in, nor had had any ancestors in, the Grand Council.
2. Those whose ancestors had belonged to it.
3. Those who had been in, and whose ancestors also had belonged to it.

The first were called "new men" and were only admitted to the council by favour. The second were admitted occasionally. The third had every right to be admitted. With this radical alteration in the Constitution the period of democracy passed away. It had lasted for nearly four centuries and under that

form of government Venice had seen her grandest epoch. In the year 1310 a revolution broke out, the object being the overthrow of the aristocratic party and the resuscitation of the democratic Constitution. This was successfully dealt with by the Government. A tribunal of ten judges appointed to inquire into the conspiracy evolved into the permanent council to which we have referred.

Followed by  
enlargement  
of the  
functions of  
the State.

Under the amended Constitution the administration was divided into ten departments :—Justice, legislation, worship, finance, commerce, education, war, marine, public health, and city administration. The responsibilities of the State had grown to be very considerable and called for this reorganization, which was a distinct development in government and reflected imperial responsibilities. This development of a small state and its rise to be a world power had not occurred without creating the jealousy of rivals. The influence exercised by the sea-power of Venice will be referred to elsewhere, but as an illustration of the enmity and jealousy commercial progress and maritime supremacy bring against the power enjoying them, we may here refer to a crisis in the career of this state.

War with  
Genoa.

The maritime republic of Genoa had been a commercial rival of Venice. The Genoese had frustrated the Venetian ambition of establishing a Latin Empire on the ruins of the Byzantine Empire by re-establishing the Greeks in Constantinople in 1261. The quarrel between these two maritime republics had its origin through their commercial interests clashing in the East, and in 1376 war broke out between them. It is interesting to note that in anticipation of this war Venice succeeded in equipping a galley each day and that her arsenal employed 12,000 workmen. Genoa entered into an alliance with the King of Hungary, the Patriarch of Aquileja and the Lords of Verona and Padua, the community of Ancona, the Queen of Naples, and the Duke of Austria. Against this formidable league Venice called upon every citizen capable of bearing arms. In May 1378 the first battle was fought off Anterin, and was a victory for the Venetian fleet, but in the following year the Genoese fleet sailed up the Adriatic Gulf and inflicted a crushing defeat upon the Venetians. Venice now lay exposed, for the second fleet under Carlo Zeno was away

off Negropont. The Genoese sailed into the port of Lido and Sugid, a suburb of Chioggia, and proceeded to besiege Chioggia. On the mainland the Hungarian and Paduan troops attacked all the towns dependent on Venice. It now appeared as if the power of Venice was doomed, for by the end of the year Chioggia fell and with it 6000 Venetians were killed and 4000 captured. All the forts along the coast, with one exception, surrendered. The town of Venice was strongly fortified and whilst the Genoese were kept at bay the Venetians strained every nerve in building and equipping another fleet. Ten weeks after the fall of Chioggia this small fleet put to sea and succeeded in blocking all the canals leading to Chioggia, and now besieged the Genoese in their lately captured town. Carlo Zeno's fleets arrived and the Genoese were at last driven from the isles and lagoons of Venice, but the war dragged on until August 1381, by which time the resources and strength of both republics were well-nigh exhausted. Peace was declared, but Genoa never recovered and Venice did so with difficulty. In recognition of the services rendered by the citizens during this war the aristocratic party sanctioned the selection of thirty new members for the Grand Council from among those who had most distinguished themselves. New life was thus put into the Constitution.

With her recovery from this exhausting war Venice re-<sup>Territorial</sup>newed her policy of territorial expansion on the mainland.<sup>expansion</sup> In 1388 she occupied Vicenza, Feltre, Bassano, and Gattamorta; in 1405 Alviano, Calleoni, Padua, and Verona; in 1420 Udine and Friuli; in 1426 Brescia, and the following year Bergamo; in 1449 Crema, in 1484 Rivogo, and in 1499 Cremona. Each of these provinces was administered by an administrator with a provincial council regulated by a sub-constitution granted from Venice. This policy of territorial expansion added to the enterprise of her merchants but increased the envy and jealousy of her neighbours and of those European powers which were forestalled in the acquisition either of possessions or of markets. The Venetian statesmen were wise enough to realize that that which had been obtained by the sword, directly or indirectly, must be held by the sword; and the naval programme of Venice was regulated by her responsibilities to her citizens, both those residing at

home and those dwelling in the possessions she had acquired.

She had supported her armies at the expense of others, or had obtained a compensation for their labours in her conquests; but as she had risen to power by her navy and lived by a seaborne commerce that was dependent upon her naval supremacy, so did that navy have her first and direct care. At this time her naval arsenal was the envy of all Europe.

Venice was now at peace with all the European powers on both sides of the Alps, but the cloud was gathering which was to burst over this world power and which, when the storm eventually cleared away, was to discover her on the decline.

Venetian  
prosperity  
excited the  
jealousy of  
other powers.

The motives and effects of her conduct had been too obvious not to excite the jealousy of all the surrounding states. To Maximilian, the Emperor elect, her increasing power rendered her a dangerous rival. Louis XII felt himself indebted for his Milanese dominions rather to her forbearance than to her inability to deprive him of them. The King of Spain regarded her as a future enemy. Louis XII entered into negotiations with the other states of Europe for the purpose of forming an offensive league against Venice, and the plenipotentiaries met in October 1508 in the city of Cambray. On December 10th a treaty was concluded for the attack on and dismemberment of the territories of Venice. Under this treaty Maximilian was to receive the cities and districts of Roveretta, Verona, Padua, Vicenza, Trevigi, and Friuli, with the patriarchate of Aquileja and all those places he had been divested of by the Venetians. The King of France was to receive the cities of Brescia, Crema, Bergamo, and Cremona, and the whole district of Ghiaradadda. Ferdinand of Spain was to have for his share the restitution of the maritime cities of Naples, and the Pope was to recover the territories in Romagna, including the cities of Ravenna, Cervia, Faenza, and Rimini, also Imola and Cesena. A power was reserved for the Duke of Savoy, as King of Cyprus, the Duke of Ferrara, and the Marquis Mantua, to become parties in the league to which they afterwards acceded. The Kings of England and Hungary were also invited to assist in the attack and destruction of a power considered to be dangerous to Europe.



As soon, however, as the Venetians were aware of the magnitude of the danger with which they were threatened, <sup>Venetians prepared for the</sup> they began to make every preparation for a vigorous defence. <sup>the threatened</sup> They endeavoured by diplomacy to weaken the league. They tried to persuade the King of England to attack the dominions of France whilst the French army was beyond the Alps, and they called upon the Turkish Emperor, Bajazet, for his assistance. But to whichever quarter they turned for aid they met with disappointment, and the republic was left, without a single ally, to oppose itself to a combination more powerful than any that Europe had known since the time of the crusades. Their spirit, however, rose to meet the occasion, and their resources were such as might be expected from the wealthiest people in Europe. An army of 40,000 men was quickly put in the field. Their powerful navy was at the same time directed to co-operate with the army; but when every effort was being made to increase the naval armament, the arsenal, the admiration of Europe, was treacherously set on fire and a considerable quantity of ammunition, naval stores, and twelve galleys of war were destroyed.

The command of the army was given to two generals <sup>but were overpowered;</sup> with equal authority but different views. One of the first measures of the Government was to confer with these two commanders with regard to the policy to be adopted in the campaign. The one commander advised immediate offensive operations and carrying the war into the states of Milan, thus terminating hostilities by a single effort. The other commander recommended a defensive policy, and the fortification of the continental cities; he proposed waiting until events occurred which might weaken or destroy a league that had within itself the principles of dissolution. The Government took a middle course which, as events proved, was disastrous. Several of the cities were seized by the confederacy. In May 1509 a decisive battle was fought in the district of Ghiaradadda in which the Venetian army was defeated.

The chief parties in the league now set about appropriating their shares of the spoil of the Venetian possessions; nor were the inferior allies idle. Alfonso, Duke of Ferrara, annexed Polesine and the districts of Este Montagnana and Monfelicce, Christoforo Frangipani seized several fortresses in Istria, the



Duke of Brunswick took Feltre and Belluno and several parts of Friuli.

Even in this their darkest hour the Venetians had some peculiar advantages. The situation of their capital, surrounded by the Adriatic, secured them from the fear of total destruction. Whatever the limbs might suffer the head was sound, and in their powerful and well-appointed fleet they had a bulwark which defied the utmost malice of their enemies. So far their enemies had declined a naval battle. The rapidity with which the misfortunes fell upon their land campaign evidently made the Government timorous of sending the navy far from Venice. It, therefore, did not lend that aid to the army which it might so successfully have done. Upon the division of the cities and provinces taken from Venice among the league there appeared signs of dissolution. The first power to break away from the league was the Pope: this gave heart to the Venetians, and they attacked and regained the important town of Padua. Then war broke out between the two most powerful members of the league, France and Spain. Venice continued, however, to be the opponent of France and the remaining members of the league for the next eleven years. In 1521 peace was declared, and with it the position of Venice was changed. The protracted war had exhausted her strength, she was shorn of most of her possessions, and the brilliancy and boldness that formerly distinguished her actions were replaced by a policy of statecraft and strategy which impeded every movement of government and betrayed her weakness. This was a striking contrast to the energy and resolution of the past. She still retained colonies, but their retention became more difficult with the declining resources of the state.

and then  
decayed.

The people themselves began to show all the unmistakable signs of a decaying nation. They began to degenerate into indolence and luxury and were becoming less fit to compete in arms or commerce with their rivals. In 1537 she was at war with Turkey and only secured peace in 1540 upon most disastrous terms, including the surrender of the towns of Nauplia and Malvasia. In 1566 war again broke out and the Turks captured Cyprus. By a treaty of peace signed in 1573 Cyprus was ceded to Turkey and the fortress of Sopoto, her last possession in Albania, was also given up to Turkey by Venice.

The peace which followed appears to have been more disastrous for Venice than the war, for we find that the people now entered upon a life of degeneracy which very quickly annihilated all the characteristics so necessary for the holding together of a nation by the ever-preparedness for war. The subsequent history of Venice and its ultimate disappearance from the map as an independent state do not concern us. Venice has been cited as an interesting development in government, as a distinct advance upon that of Achaia and Rome; and also for the very good reason that the history of its rise, under its peculiar political system, its territorial expansion, its geographical situation, and its naval supremacy make it a valuable object-lesson where the study of the British Empire is concerned. The fact that Venice was stopped in her progress and then thrust backward by a combination of powers brought together out of jealousy and envy created by the remarkable commercial energy, the acquisition of possessions and the maritime power of this republic is a lesson that must be taken to heart by every student of imperial legislation and by every statesman in the British Empire. But whilst Venice was beginning to tread hesitatingly her downward path, the people of another tiny portion of Europe were awakening into an activity that was to carry them far, and that was destined to leave records behind as glorious as those of the people we have just left.

Holland, like Venice, had little to thank nature for. <sup>Rise of</sup> Motley describes it as a "region, outcast of ocean and <sup>Holland.</sup> earth" and the early inhabitants as a "race of wretched ichthyophagi who dwelt upon the terpen, or mounds, which they had raised, like beavers, above the almost fluid soil".

Napoleon the First laid claim to Holland on the ground that its surface was a deposit from the hinterland taken along by the rapid river and then dropped by the sluggish watercourses into which the Rhine divided itself, his contention being that as the hinterland was his by right of conquest, therefore the lowlands which owed their existence to the river which he had appropriated were also his by devolution.

This claim serves to illustrate the insignificance of the land from which sprung a world power and a people

responsible for some of the most important developments in government and who created precedents of the greatest value in political action to-day.

Early inhabitants of the Netherlands.

We are indebted to Cæsar for the earliest account of the people of this region. He found the territory on the left of the Rhine inhabited by tribes of the Celtic family. According to Tacitus the Netherlands were the bravest of all the Germans. The Romans appear to have held the early inhabitants of what is now the land of Holland in great respect, for whilst they conquered the Belgians, and took tribute from the Frisians, they called the Batavians their friends and entered into an honourable alliance with them. The Zuyder Zee and the Dollart, brought into being by the inundations of the thirteenth century and not existing at this period, did not then interpose boundaries between kindred tribes. All formed a homogeneous nation of pure Germanic origin. We therefore find the population to be partly Celtic and partly Germanic. Now of those two elements, dissimilar in their tendencies and always difficult to blend, the Netherlands people have been compounded.

A certain fatality of history has continually assisted to separate still more widely these constituents instead of detecting and stimulating the elective affinities which existed.

We find too that religion upon all great historical occasions has acted as the most powerful dissolvent.

Their democratic government.

The policy of these early people was republican. The sovereignty resided in the great assembly of the people. There were slaves among them but these were either prisoners of war or those who had forfeited their liberty by gambling. Their chiefs, called by the Romans princes and kings, were in reality leaders chosen by universal suffrage, elected in the great assembly to preside in war. The army consisted entirely of volunteers, but the man who did not volunteer for war was considered as infamous as the man who deserted the field while his chief remained alive. The same popular assembly elected the village magistrates and decided upon all important matters both of peace and war. All State affairs were in the hands of this democracy, for the elected chiefs had rather authority to persuade than power to command.

Local autonomy, or the municipal institutions of the

various towns and districts of Europe, can be traced back to the wise system of imperial government which was inaugurated by Augustus and has survived the downfall of the Roman Empire. This local government of a city has in many cases grown into the national freedom of a people, but the modern towns of the Netherlands cannot be traced back to the Roman Empire. The rise of the chartered town was later in the Netherlands than it was in the rest of Western Europe.

But it is in the rise of the chartered towns and their subsequent history that the material of value to us is to be found. The period of feudalism during which there is little acknowledgment of human right, no obedience to divine reason, contains but a few negative lessons for the political student of to-day.

In 912 the seventeen provinces of the Netherlands ruled over by dukes or counts accepted Charles the Simple of France as overlord. In this year Charles granted a charter to one Count Dirk. His son, Count Dirk II, received in 983 a very large portion of what is now Northern Holland. The history of Holland for useful purposes commences with the third Dirk, for he extended his sway and became lord of Holland. With the fourth Dirk began the naval history of Holland, for it was this count who in 1047 with his light boats captured the fleet of Henry III of France, ruined the imperial army, and dictated his own terms. In 1213 William the First granted the first civic charter; this was to the town of Geertruidenberg, and a second was granted in 1217 to Middelburg in Zeeland. "To all Middelburgers," ran the charter, "one kind of law is guaranteed. Every man must go to law before the Schepens. If any one being summoned and present in Walcheren does not appear or refuses submission to sentence he shall be banished, with confiscation of property. Schont or Schepen denying justice to a complainant shall until reparation hold no tribunal again. A burgher having a dispute with an outsider (buitenmann) must summon him before the Schepens. An appeal lies from the Schepen to the Count. No one can testify but a householder. All alienation of real estate must take place before the Schepens. If any outsider has a complaint against a burgher the Schepens and Schont must arrange it.



If either party refuses submission to them they must ring the town bell and summon an assembly of all the burghers to compel him. Anyone ringing the town bell except by general consent, and anyone not appearing when it tolls, is liable to a fine. No Middelburger can be arrested or held in durance within Flanders or Holland except for crime." This charter, granted to each of these towns, was the model upon which many other communities, cradles of great cities in the Netherlands, were afterwards created; but we also see here a distinct advance in legislation beyond everything that had been attempted before. These charters created, not for all inhabitants but for a great number of them, the right, not to govern themselves, but to be governed by law. They furnished a local administration of justice. They provided against arbitrary imprisonment. They set up tribunals upon which men of the burgher class were to sit in judgment.

Their  
prosperity.

In the first instance we find that the chief magistrate (Schont) and the aldermen (Schepens) were appointed by the Sovereign, but at a later date the right of electing those municipal authorities was given to the communities. Now that life and property were assured of a certain measure of security through the institution of law and order, the communities of Flanders and Holland began to prosper. The attention previously given to domestic feuds or internal wars was now given to commerce and trade and to manufactures, especially of wool.

Progress in  
municipal  
government.

With the extension of the charters to the towns of Dort, Delft, Haarlem, Alkmaar, Leyden, and Schiedam, there arose in the chartered towns themselves a worthy ambition to develop and improve their local system of government. Under the charters each city was ruled by the Schont and Schepens supported by councillors, one from each quarter of the town; whilst the Schepens administered justice the councillors or burghermasters, as they became known, attended to civil affairs, and as these developed the importance of the office exceeded that of the justices. Each town organized its own defence in the form of local militia. In 1326 a national assembly was formed to which the towns sent representatives. All the nobles were, by hereditary right, members of this assembly of provincial estates, but it was not until March



1477 that this assembly was acknowledged by the Sovereign. In that year the "Great Privilege" was granted which affirmed the power of the cities and provinces to hold diets and reserved to the estates a voice in the declaration of war. <sup>"Great Privilege".</sup> It was provided in this national charter that natives alone should hold high office and that no new taxes should be levied without the approval of the estates; that one high court of justice was to be established for Holland, Zeeland, and Friesland, and that the Dutch language was to be the official language of the State; that the seat of government should be at the Hague, and that the Sovereign should appear in person before the estates when supply was required. In this assembly the nobles sat in person but they only had one collective vote. At first all the towns large and small sent representatives, each town having but one vote irrespective of size or importance. In 1494 Philip repealed the "Great Privilege" and thus commenced a period full of strife for political freedom between the burghers, who by this time had grown powerful, and the aristocracy headed by Philip King of France, who had usurped the crown of the Netherlands. It was destined to be some years before the people again secured their full liberty, though by means of their city charters they were able to prepare themselves for the more complete measure of freedom. Charles V united the provinces in his person as Emperor, but as provinces of a great empire of which Germany and Spain were also parts they were bound to suffer; the regency of the Netherlands was entrusted by Charles to near relatives who governed in the interests of his house, not of the country. <sup>Charles V.</sup> We now find the Netherlands system of government to be that of despotism, although many of the cities had refused to surrender their individual liberty. The city of Ghent is a case in point, which by its jurisdiction over many large but subordinate towns legislated for more than its own immediate population, estimated at 200,000. <sup>Ghent.</sup> At this time its streets and squares were spacious and well kept. This city was a small republic in all but name. The population was divided into fifty-two guilds of manufacturers, and into thirty-two tribes of weavers; each fraternity elected annually or biannually its own deans and subordinate officers. The legislative, judicial, and

administrative functions were centred in the Senate, subject, however, to the grand council of Mechlin and the sovereign authority. This body consisted of twenty-six members, and they were appointed partly from the manufacturers in general and partly from the weavers. These representatives were chosen by a college of eight electors, who were appointed by the sovereign on nomination by the citizens. The whole city in its collective capacity constituted one of the four estates of Flanders. This free city, as yet not interfered with, claimed the general provisions under the "Great Privilege". Charles now turned his attention towards curtailing those liberties under the repeal of the charter.

In 1539 the city of Ghent refused certain monetary tributes demanded of it by the regent. This produced the struggle between the court and Ghent which ended in the severe punishment of the rebellious citizens. In 1540 the Emperor, against the acknowledged rights of the provinces, appointed the Prince of Orange as Stadtholder of Holland, Zeeland, and Utrecht.

Ecclesiastical  
aggression.

In 1559 the Church began to assume an important part in the government of the provinces, an event destined to lead to the big struggle with Spain. The first step was the reorganization of the bishoprics of the Netherlands. It was believed that this would strengthen the old episcopal inquisition. The Netherlands regarded this ecclesiastical reorganization without consideration for their feelings, rights, and privileges as part of a general plan for the subjection of the provinces by means of foreign troops. All classes, nobles, clergy, burghers, and peasants disliked and regarded with grave suspicion the new ecclesiastical system. The leading men, including William of Orange, were driven into opposition. The newly appointed Archbishop Granvella usurped the powers of regent and was regarded with detestation. In

War declared.

1567 war actually broke out. The Duke of Alva at the head of the Spanish troops devastated the provinces and to all appearances the fortunes of Orange and the Netherlands were desperate. For five years the fortunes of war were against them, but the great vicissitudes they were now undergoing proved but an education for the great things they were yet to achieve. The Hollanders had long had to fight the en-

croachments of the sea, they had indeed wrested this very land from her, and as they had mastered her before, so now were they to make use of her in the repulsion of the invader. One, William de la Marck, got together a small navy of twenty-five vessels: with this he seized the important port of Brill, and next captured Flushing. These two successes heartened the chief cities of Holland and Zeeland to throw off the Spanish yoke and declare for the government of Orange. Alva now withdrew from Zeeland, leaving the provinces practically free from the Spaniards, though Amsterdam was still held. In 1572 the estates of Holland were convened at Dort under the authority of Orange as Stadtholder for the purpose of raising funds for the prosecution of the war. The Hollanders unanimously resolved to dedicate themselves and their fortunes to the expulsion of the enemy and to the cause of Orange. In 1575 the states of Holland and Zeeland were united. This was brought about with some difficulty, for the municipal principle had developed to an extent which made it difficult to sink any strong individuality.

In this year the states formally discarded the sovereignty of Philip and declared their independence. In January 1579, the United Provinces came definitely into being under the "Union of Utrecht," and the States General elected William of Orange as Stadtholder. In 1584, William of Orange was assassinated and he was succeeded by his son, Maurice. In 1584, England undertook to appoint a governor-general and to pay five thousand foot and one thousand horse. In 1607, a twelve years' truce was signed between Spain and Holland. During this protracted war the Dutch had secured those liberties granted them by the "Great Privilege," and they had become the lords of the sea and the chief traders of the world. In 1621, the truce with Spain expired and Holland now took part in the Thirty Years' War. This had been in progress for nearly three years. During this war, the naval prestige of Holland was greatly enhanced. In 1648, in spite of opposition from the Prince of Orange, the deputies of the United Provinces (with the exception of Zeeland and Utrecht) signed a separate treaty of peace with Spain. The United Provinces were recognized as free and independent and Spain dropped

Success of  
the United  
Provinces.

Their form of  
government.

all her claims. The two contracting parties agreed to respect and keep clear of each other's trading grounds, and that each should pay in the ports of the other only such tolls as were exacted by the other. This saw the termination of what is known as the Eighty Years' War. In 1651 a convention of the provinces was held for the purpose of securing an aristocratic government in which the liberty of the subject was preserved. There were four cardinal principles accepted in this federation: (1) the terms of the Union of Utrecht, (2) the claims and position of the House of Orange, (3) the sovereignty within its own borders of each province, (4) the liberties and power of the cities. The union was governed in theory by the States General of the provinces which met at the Hague. This consisted of a fluctuating number of deputies, sometimes as many as 800. This was supplemented by a permanent Council of State or Cabinet composed of twelve deputies from the provinces. In addition to this federal parliament each province had its own estates and each great city its own Senate; Amsterdam, for instance, was governed by a Senate of thirty-six burghers, which was responsible for law and order, and which raised local taxes. The office of senator was for life, originally by election of the whole body of freemen, but from the sixteenth century by co-optation so that the government of the self-governed cities became a close oligarchy. The Senates elected the deputies of the cities to the States General of Holland. Each province had its own Stadtholder and each town had its own Pensionary or chief Minister. But after the death of William II, the office of Stadtholder of Holland was suspended and the Grand Pensionary of Holland, first Minister of State, became virtual president of the republic. The continual wars in which the states were engaged during the sixteenth and seventeenth centuries did not impede their commercial prosperity. Each town had its own special share: Flushing had the West India trade; Middelburg received French wines; Terveer received the Scottish and Dort the English staple; Leyden manufactured; Haarlem made linen and mixed stuffs; Zaandam built ships, whilst the East India trade, with that of Spain, went to Amsterdam.



## CHAPTER IV.

### CONDITIONS AFFECTING GOVERNMENT.

THE principal conditions affecting the government of a nation are: (1) geographical situation, (2) physical conformation, (3) extent of territory, (4) population, (5) religion, (6) education. These six conditions might be considered under the character of the people, for the government of a country is what its people make it and the character of a people is moulded by these conditions. Conditions affecting government.

1. GEOGRAPHICAL SITUATION.—This is the condition which will have its effect, primarily, upon the character of the people and then upon the form of government they will adopt for the ruling of themselves. The Greeks were apt to consider that if a newly settled town or colony was situated on a fine harbour with productive lands behind, that sooner or later the place would have a democratical government on account of the influence of the commercial class, and on the other hand they considered that an interior town might be kept from the predominance of a democracy, and this would be a motive for planting a colony in such a position. Geographical situation.

We have seen in the review of those nations selected as illustrations how each began its career in a very humble manner both as regards its size of territory and strength of population. In each case at the beginning law and order were practically unknown, the people were thrown upon their own personal resources and then upon mutual support, either by the aggression of hostile neighbours or by the harshness of the natural conditions. In each case we have seen that the geographical situations of the countries cited brought the people into conflict either with their neighbours or with nature; the effect was to engender in their character a contempt of physical danger and for human life, patience Effect of adverse conditions,



under adversity, and determination to overcome difficulties ; this latter brought in its train, by repeated effort, the physical and mental ability to succeed.

and of  
climate.

We have but to compare a country blessed by nature with a geographical situation which does not bring it into immediate conflict with a neighbour, where too the climate is mild, the soil fertile and the elements peaceful, with countries like Holland, Venice, or even Great Britain to realize at once what an effect this condition has upon the inhabitants. Undoubtedly the greatest extreme of cold prevents any marked development of the political instinct, for in such climates there can be little property and little new knowledge to stimulate to better methods of labour ; as with the Eskimos there may be family life and small communities, but the difficulties of finding subsistence scatter men over a wide area.

In the other extreme of torrid climate we find scarcely any political capacity, and in most of those countries where the heat is great throughout the year only despotic states are found and little or no political activity. The climate militates against any resolute assertion of the free spirit, and even where civilizing and elevating influences are imported from abroad, they flourish but for a time and then the people deteriorate to the level of the surrounding conditions. This is particularly noticeable in the Dutch Indies, and in some of the British possessions such as Natal, Jamaica, and Mauritius.

But between these extremes there is a great variety of temperate climates or of such as by the alternations of heat and cold stimulate the inhabitants to industry and production, and it is here that we find the political forms of the higher races developed.

Case of  
Japan.

It was not until adversity, caused by science annihilating distance, touched the people of Japan, that they quickened into true national life. Secure from anything more serious than predatory raids from their neighbours, blessed with a benign climate, able at the expense of little labour to live in comparative comfort, the nation lay dormant ; but with the annihilation of distance by science their position with regard to their neighbours was altered ; these were brought closer to them, and they found themselves called upon either to defend their possessions by force of arms or to become a subject race.

This need developed their character, and out of this grew the greatness of national life which promises to carry them as far as any nation has yet travelled.

If the geographical situation of a country is such as denies it a seaboard or grants one of such an inhospitable nature as to preclude a section of its people from following the sea as a calling, then that country can never attain to the forefront of nations. It was not until the Romans had secured for themselves a seaboard that their career as an imperial people started, and that career dwindled when the sea was abandoned by the Romans themselves. In the case of Rome the geographical condition of a seaboard was achieved by themselves. The sea did not play the important part upon the character of the people that it did in the cases of Venice, Holland, Spain, Portugal, and Great Britain. In each of these countries it was responsible for bringing into existence a hardy, self-reliant people. Venice, practically created by the hands of her citizens from out of the sea, stamped the character of her people with the restless temper of the ocean difficult of control. Their constitution was evidence of this.

Holland, in the same way, by her geographical position on Holland; was dependent upon the sea for sustenance, her citizens with infinite labour won from the sea the mud banks they ultimately cultivated; to save the little land that had been deposited by the rivers and what they had reclaimed called for continual labour and warfare with the ocean. This together with a rigorous climate bred a rough but hardy and physically, mentally, and morally healthy people whose influence is felt to the present day and whose precedents in law and government are still used with gratitude.

In the case of Great Britain this condition of geographical position has played an even more important part than in any other instance we can discover. A very extensive seaboard with a limited area of territory necessitated a very large proportion of her inhabitants being familiar with the sea. Her proximity to powerful neighbours with whom she was continually at war, created the enterprising and independent, if somewhat truculent character, of her people. Her shores called for defence at sea, therefore the qualities of sailor and soldier were combined with that of trader. But

Effect of  
maritime  
position;

on Great  
Britain.

the sea carries with it the germ of adventure, so we find our militant trader going further afield and returning with valuable proof of his enterprise and daring, until we have the nation emulating the Venetians. The rigour of the climate, the stormy seas that had to be faced in craft, and with appliances, but ill suited for the dangerous calling, created a nation of men well suited to found a world-wide empire. The reward of enterprise, labour, and danger to the individual was wealth, carrying with it a desire for rank. Hence we find that this nation of traders, like that of Venice, adopted an aristocratic constitution. In the cases of Venice, Holland, and Great Britain the people were compelled to take to the sea, and their development as world powers took place via the sea as a natural consequence. Their geographical positions at first sight would appear to be a hindrance to expansion when compared, for instance, with France or Italy, yet we find the contrary to have occurred. The obstacles to be overcome, the difficulties to be contended with, so developed the character of the people by quickening their perception, inuring them to physical suffering, increasing their physical and mental energy, and developing the inventive faculty that these nations rose superior to an apparent handicap by nature. France, on the other hand, whilst possessing a naturally fine sea-board was doubly blessed with a richly arable hinterland; her people were neither driven to the sea to find sustenance nor to defend her shores; enjoying a climate more mild than that of England or Holland, her people were not called upon for the same exertion to provide a living; they were therefore physically less hardy, more attached to the soil from which they drew their sustenance, and less inclined to roam far afield. To them the only wealth obtainable was from the land; competition for wealth took place in the possession of land. The hereditary landlord, the aristocrat, and royalty itself were regarded first with fear, then with hatred, by the peasant whose sphere of enterprise was restricted by the vast holdings of a minority. The germ of Socialistic democracy, never allowed to live in England or Holland through its natural enemy, sea power, was ever present in France; but owing to the successive wars with her neighbours it was unable to spread, until with a long enough peace, it triumphed.

Counteracting  
effect of the  
fertility of  
France.

With all the requirements of a comfortable existence at home the inhabitants of France were not called upon to seek a livelihood away from their own land, but as the land became more closely occupied the quality of thrift became a characteristic of the people. While this has resulted in making France one of the wealthiest of nations, yet appearing in another relation of life it has checked the production of children with the result that to-day we find the population of France nearly stationary.

The importance of the geographical position of a country in the career of a nation is well illustrated in the case of Switzerland. Cut off from the sea and surrounded by powerful neighbours, we here find a race possessing many of the characteristics of a great people, yet unable to exercise them in national expansion. One of the earliest of European peoples to adopt constitutional government, owing to their isolation and the continual danger of invasion from without, this took the form of federal union. We have here one of the few true democracies to be found; the geographical position of this small country precludes the acquisition of great wealth either by the community or the individual, hence the adjunct of wealth, aristocratic rank, is absent. Originally the dread of absorption or annexation by a more powerful neighbour drove the small separate states or cantons into a federal union which recognized state rights and independence in local control, and established the sovereignty of the people; the Constitution is a replica of that of ancient Achaia. We see here, as we must have noted in the earlier stages of the Achaian Constitution, one great achievement possible under this form of government, the absence of internal strife. Whether federal union be found among the component parts of an empire, a limited monarchy, an aristocratic democracy, or a republic, it has the inestimable advantage of eradicating internal strife by the abolition of the causes. The geographical situation of Switzerland has produced, through similar causes, effects like those found among the peoples of Holland, Great Britain, and Scandinavia. The rigour of the climate, the limited arability of the land, and its mountainous character have produced a hardy and independent race of men whose character is reflected in their form of government. The

Effects of the rigorous climate of Switzerland upon its people.



geographical position of a country determines the system of its government first by being primarily responsible for moulding the character of its people, and secondly by the country's position with regard to neighbours.

Other conditions began to manifest their influence on the political forms at a yet later period than this.

Effects of  
the physio-  
graphical  
features of a  
country.

2. PHYSICAL CONFORMATION.—This condition, together with the last, was responsible for the forms of government which have been inherited, though it bears but little influence in determining such changes as are daily taking place in constitutional procedure. But in the past, that is in the beginning of constitutional government, the influence of the physical conformation of a country was great. We have seen how the people of Achaia, inhabiting a comparatively flat country, congregated in cities; how in communion they were able to subordinate self sufficiently to conceive and to bring into being the best of government for the good of the community. Yet we find their neighbours using a similar system and failing to make it effective, and the cause of success on the one part and failure on the other is the physical conformation of the countries, differing to the same extent as Scotland and England. We know that the Lykians were divided into numerous hill tribes which were separated from each other by broken country. The nature of the country called for wide distribution to obtain the most from the soil; they were, too, a pastoral people. Should a tribe become too big and unwieldy it was split up and a tribal head appointed, preferably the son or near relation of the chief of the parent tribe. In this way hereditary aristocracy was ingrained in the national character and kept well before them by the exclusiveness and smallness of the tribe. Had the country been flat, making communication between the tribes more frequent, a reverse system would have taken place; the tribes would have united and congregated in centres; the stock would have fallen into the hands of those whose natural ability in that calling was greatest; those whose stock had passed from them through natural inability to keep it would have, by necessity, discovered some quality in themselves not shared in common and would have proceeded to exercise it for the purpose of securing a livelihood. In this way the



close ties between chief and tribesmen would have gradually disappeared as it did with the Achaians and as it has since done with the Scotch and the Welsh. But the configuration of the country forbade this, hence we see even to the present day the influence of this condition in certain systems of government. It is one of the conditions responsible for the state rights so jealously retained in the Swiss Constitution. It has played an important part in our own constitution, and is mainly responsible for its elasticity. No hard and fast instrument of government such as the written constitution of France or of the United States of America could have successfully brought together under constitutional government the Highlanders of Scotland and the inhabitants of Middlesex; the physical conformation of the territory occupied by each had moulded different characters.

To understand adequately the importance that this condition exercised at the dawn of constitutional government in Europe we have but to turn to India of to-day and examine the effect that the physical conformation of the country has upon the people of that country. In the flat, hot regions of Bengal, and on the banks of the Ganges and its tributary streams we find a timid, gentle, pacific race of men, educated but superstitious, and extremely suspicious; servile to their superiors but tyrannical to their inferiors; obsequious, yet treacherous, still retaining the arts of Eastern adulation accentuated by occidental education, mild and inoffensive in their intercourse with each other. Congregated together in bazaars they become the willing and servile instruments of the demagogue. On the other hand, in the higher regions, where the mountainous nature of the country makes intercourse and living more difficult and necessitates greater physical energy, we find the inhabitants brave, daring, impetuous, self-reliant, and full of initiative; they are chivalrous to women, courteous to strangers, glorying in deeds of heroism, faithful in friendship but vehement in hatred. With these elevated qualities are mingled others which belong to the same natural character: a fierce and revengeful temper, a disposition uncultivated and impatient of discipline; prone to violence and inured to crime by ages of uncontrolled licentiousness. It is in these nations, the roving Mahrattas,

Well exemplified in India.

the proud Rajpoots, the heroic Sikhs, the daring Afghans, and the fierce Pathans that the restraints of regular government are with most difficulty introduced, and its blessings most sensibly felt. This description of the varied characteristics of a people inhabiting the same land illustrates the influence that climate and physical conformation bear upon the system their government will take, and it is proof of the wisdom displayed by Augustus in the government of subject races that he made the Roman Constitution sufficiently elastic to govern successfully people who might be similarly described. It is furthermore a tribute to the British Constitution when it is remembered that the varied races of India are ruled under it together with the plainsmen of Canada, the fishermen of Newfoundland, the Highlander of Scotland and the citizen of London.

Effects of  
great  
geographical  
area.

3. EXTENT OF TERRITORY.—The political theorist of to-day is somewhat prone to quote the democratic federal Constitution of Switzerland as the ideal of government, and it must be admitted that Switzerland is a small republic enjoying to the full the blessing of good government; but it must be borne in mind that the country so governed is a small self-contained one. This has enabled a concentration of political and administrative effort almost impossible in the case of a country like Russia, or an amalgamation of countries like the British Empire. It would therefore be misleading to quote the Swiss Constitution as an example for a country whose extent of territory and size of population is much greater than that for which that constitution was framed. There are, however, several principles and many provisions contained in that instrument which might with great advantage be adopted in the government of other countries. Russia, the most extensive geographical unit in the world, comprises a territory ten times larger than that of the state which was formed after the overthrow of the Tartars; and which then had an area of about 800,000 square miles. The vast territory since acquired is measured by the meridians and parallels of latitude. It is impossible for any military operation to strike the heart of so extensive a territory with relatively so few towns and such thin and scattered communities. Its inert power of resistance was proved by the

Russia.

disaster that overtook the French invasion in 1812 led by the greatest military genius known to history. The Empire has no centre, for St. Petersburg or Moscow cannot be regarded as such. The Slav domain is defended by its very immensity. Yet despite her power and extent Russia enjoys less advantages for easy communication with the seaboard than many small states such as Holland and Denmark. With a coastline equal to half the circumference of the globe, she has, as yet, no free outlets to the ocean. The port of Archangel is blocked by ice for a great part of the year and vessels frequenting it are obliged to coast the whole of the Scandinavian Peninsula before reaching the trade routes. St. Petersburg and the other Russian ports on the Baltic are also closed during the winter, and the outlets of that inland sea are commanded by foreigners; the same applies to the approaches of the seas of Azov and Euxine. It will therefore be seen that extensive territory does not necessarily carry with it those geographical advantages sometimes found in very small states, and which yet play such an important part in national life and expansion. Russia is the only European state governed by autocracy. Here we find the sovereign absolute master. The "Emperor of all the Russias" is an autocratic ruler to whom, according to the divine ordinance itself, "all owe fealty," not through fear alone, but also "for conscience sake". This theory of absolute autocratic power has been gradually developed, made possible by the vast extent of the territory with relatively few towns and scattered communities.

Legislative, administrative, and judicial power flows from the Czar, who is bound to respect only the old laws guaran-  
Powers of the Czar.  
 teeing the predominance of the National Church and the order of succession to the throne. In theory the Empire moves only at the pleasure of the Czar. As in France the royal authority ended by prevailing over that of the vassal states and the great nobles, so in Muscovy, autocracy replaced the old institutions of the communes and free orders, and assumed a special form under the influence of the Mongolians and of the ecclesiastical and legal usages inherited from Byzantium. This autocracy was strengthened by the bureaucratic institutions introduced from Germany and from the

absolute ideas of legitimacy elevated by Joseph de Maistre into State dogmas. It can thus be seen that in theory at least the autocratic power of the Czar is to some extent due to the reaction from the French Revolution, consolidated by the dissensions of the various nationalities occupying this vast extent of territory. But since the reign of Peter the Great the autocracy has not always been absolute. Peter drew up reports for a Senate which he had created himself, and in 1730 the Empress Anne signed the charter limiting the autocracy by a council of the chief officials. This charter was destroyed, and later we find Alexander I endeavouring to found a "Committee of Public Safety" for the purpose of studying the means of "bridling the despotism of his government".

Peter the  
Great created  
a Senate.

In 1711 Peter the Great, anxious to divest himself of the council of boyards (*duma boiarskaya*), or the States General, created an assembly which still continues but whose functions have been frequently changed. This was called the *pravilel-stvoyushchiy Senat*, or "Directing Senate" which he desired to assimilate to the Dutch States-General. To this body "everything was to be entrusted," "all were to obey it as the Czar himself". But the weakness of this body lay in the fact that its members were appointed by the Emperor, and some four years after its creation the Czar selected every month an officer of the guard to watch over the legislators and conduct them to prison if they failed in their duty. He bullied them with threats of death, or disgrace, or forfeiture.

Modern  
Russian  
administra-  
tion.

To-day there are eleven Ministerial departments—Imperial Household, Foreign Office, War, Navy, Home Office, Public Instruction, Finance, Justice, Crown Lands, Public Works, General Control—yet each of these Ministries depends directly on the Sovereign, and the Ministerial functions are, moreover, confided to the secret police, or, as it is termed, the third section of the imperial chancery.

The autocratic system of government exercised in an extended territory deposes absolute authority on the direct representatives, Ministers, provincial governors, *ispravnik* or heads of districts, cantonal provosts (*stanovoi pristev*), agents of local safety (*uriadnik*). In no other state in Europe have similar officers such extensive powers. Prior to the emanci-



pation of the serfs the governor was a real "master of his province," possessing the right of intervening in all matters and of personally controlling the tribunals and finances of his territory. But the Zemstvo, judicial reforms, and the creation of chambers of control, curtailed this authority for a time, until the right was given him of vetoing appointments to the Zemstvo and municipalities.

In 1864 the increasing extent of the territory called for Zemstvo. some system of local government. Poland and the Baltic provinces already possessed feudal diets, and the Zemstvo or provincial parliaments were therefore created throughout the Empire. The deputies to these parliaments belong to all classes—nobles, citizens, traders, peasants—and they hold their sittings in three distinct chambers or curiæ. The first or assembly of landed proprietors, consists of owners of estates averaging from 550 to 1780 acres according to the provinces, of delegates of proprietors with at least 55 acres, and of representatives of the clergy as holders of ecclesiastical lands. The second, or assembly of burgesses, comprises merchants, traders or manufacturers doing a trade of at least 6000 roubles, house owners, and representatives of industrial associations disposing of a fixed capital. The third assembly, that of the rural communes, includes the delegates of the peasantry elected at second-hand—that is, by the members of the bailiwicks who are themselves named by the peasantry, at the rate of one for every group of ten families. The first assembly is presided over by the marshal of the nobles, the second by the mayors of the towns, and the third by the officials employed in the administration of rural affairs. The president in chief of the Zemstvo is always the marshal of the nobles except where specially appointed by the Czar. The first two bodies are selected from their respective classes, but the peasantry may elect nobles or priests to represent them, and the number of deputies is everywhere calculated in such a way as to ensure the rural classes always being in a minority.

The district Zemstvo sits for ten days in each year, the delegates chosen by it for the provincial Zemstvo sit for twenty days. Every three years the assemblies nominate an *uprava* or administrative committee, whose president must



be approved by the governor or Minister, who has also the power of suspending all decisions of the Zemstvo. The legislative functions, such as they were, of these bodies, have, since 1905, been to a great extent absorbed by the elective State Council (*Gosudarstvennaya Duma*). On 17 October, 1905, a law was promulgated granting to the people the firm foundations of public liberty, based on the principles of the real inviolability of the person and of freedom of conscience, speech, assembly, and association, and establishing as an unalterable rule, that no law shall come into effect without the approval of the Duma. This Duma consists of members elected for five years and representing the governments or provinces and the greatest cities: St. Petersburg, Moscow, Warsaw, Kiev, Lodz, Odessa, and Riga. The election of deputies to this parliament is indirect and is made by electoral bodies of the chief towns, of governments or provinces and of the greatest cities, composed of delegates chosen by the district or town elected assemblies. In towns all lodgers (of twelve months standing) may vote in these assemblies, also salaried clerks of state, municipal or railway administration; in the rural districts, all owners of a determinate area of land, differing in different districts, or of non-industrial estate more than 50,000 roubles in value, are electors.

Council of  
the Empire.

On 6 March, 1906, a manifesto was published that the Council of the Empire consist of an equal number of elected members and members nominated by the Emperor, to be convoked or prorogued annually by imperial ukase. The elective members of the Council will be eligible for nine years, a third of the number being elected every three years. Each assembly of the Zemstvo of each government will elect one member. Six members will be returned by the synod of the Orthodox Church, six by the representatives of the academy of sciences and the universities, twelve by the representatives of the bourses of commerce and industry, eighteen by the representatives of the nobility, and six by the representatives of the landed proprietors of Poland. All members of this Council must have attained the age of forty years and have an academical degree.

The Council of the Empire and the Duma have equal legislative powers and the same right of initiative in legisla-

tion and of addressing questions to Ministers. Laws voted by the two Houses are submitted for the imperial sanction by the president of the Council of the Empire.

By the constitutional changes of 1905 and 1906 a serious endeavour has been made to lay the foundations of a limited monarchy, made so necessary by the extent of the territory to be governed. In theory this has already been brought about, but the change from absolute autocracy to democratic monarchy is so revolutionary that it cannot be achieved successfully by the simple expedient of the proclamation of a decree. The sudden uprooting of old institutions, the abolition of old traditions, would only have the effect of defeating the very ends so much desired. Although the written instrument now exists and the altering conditions of the people and of the age call for the change, yet to be lasting and efficient some time must elapse before the new constitution is in working order.

The efficient government of a territory so extensive in area as Russia is only possible by liberal local responsibility. Had this principle been recognized a century ago, had some of the genius of Augustus been displayed in the organization and government of this extensive territory, the history of Europe would have been different.

4. POPULATION.—A condition which has an important influence upon the government of a country is the density or sparseness of the population. It has already been observed that this condition is to a large extent dependent upon the character and soil of the country. A rich and fertile soil supplies motives to industry where exchange with neighbours can be carried on, this in turn calling for marts which attract a trading people. Thus large communities arise. The close congregation of people determines in great part the political condition.

A less fertile soil may necessitate a nomadic life for the people, which is then generally composed of tribes with no compact union and with little incitement to a higher system of civilization. Such people are inclined to show impatience at governmental control, the love of freedom becomes a national characteristic, and any constitutional change made is in the direction of greater liberty.

As the population of a country increases and congregates in centres, so does the tendency to centralize in government increase.

Case of the  
Transvaal.

The late South African republics may be cited here as an example of a sparsely populated country pursuing a policy of decentralization. In the case of the Transvaal the population was barely one hundred thousand occupying some one hundred and twenty thousand square miles of territory, yet at one time four different republican governments were set up in different parts of the country independent of the parent state and of each other; as the population increased these minor governments disappeared or gave way to municipal government.

As people gravitate towards centres and become closely congregated, their wants increase and then it is that the machinery of government is brought into active operation. It has to be regulated both in form and power by the amount of work expected of it, and this is dependent upon the density or sparseness of the population.

Influence of  
religion upon  
politics.

5. RELIGION.—That which gives this condition great importance is the great power religious belief has held in the State and in the life of man and the attachment multitudes of people feel for their religion. The Heathen valued their religion because the stability of earthly interests was found in the protection of spiritual powers; State, family, and individual alike feeling need of such protection. Nor was it divine power to protect and fear of divine wrath, if unpropitiated, that alone led to worship; for worship was natural, a natural want as necessary as human society. The State reaches its highest aims only by something that lies out of itself and thus seeks to get all the aid possible for itself from this source. Among the ancients religion was intimately connected with the State and influenced to a considerable extent State policy. The ideals of God and of divine things held by the independent states and communities of the ancient world received a character strictly local. Deities of the most diversified attributes divided the worship of the world, and the law by which their votaries were governed became inseparably united with that of the State. We may with safety declare that this intimate union of Church and State, this

two-fold freedom, limited only by the light obligations arising from identity of race, had a most important share in the civilization of the early ages. Each community was surrounded by narrow limits, but within those limits the world's vigorous youth found space to develop itself according to its own unfettered impulse.

In later times empires have been shaken because religion had lost its power of control. In those days the subjugation of the state necessarily involved the downfall of the national religion. The imperial rule of Rome was mainly responsible for the abolition of many of the independent religions, for, impelled by the political power, believers in every creed would draw near Rome. But what significance could remain to these peculiar forms of belief once torn from the soil whence they had derived their birth? The worship of Isis was intelligible in Egypt, where it deified the powers of nature as manifested in that country, whereas in Rome this worship became a senseless idolatry. No sooner did the various mythologies come in contact than their mutual extinction ensued. When we cast a retrospective glance over the annals of the Middle Ages we are struck with the number of sanguinary wars undertaken and carried on in the name of a religion of peace, wars which have left their impress upon the system of government followed by many nations to-day. Yet we can hardly find an example of a religious war among the ancients and under the laws of Paganism. The sacred war among the Greeks for the lands which belonged to the temple of Delphos was not fought for a dogma or a religious opinion, as in the wars which among the moderns have had religion for a motive or at least for a pretence. Undoubtedly modern nations and those of antiquity have and had the same passions; but amongst the ancients religion entered less deeply into the heart of man or into the spirit of social institutions. The worship of idols had no positive dogma, it added nothing to morality, it prescribed no duties to the citizen; it was not bound up with the maxims of legislation, and existed only upon the surface of society. When Paganism was attacked, or when a change was effected in the worship of its gods, the affections, morals, and interests of Pagan society were not deeply wounded. This was not the case either with Chris-

Many local religions were suppressed by the Roman Empire.

Religious wars rare among Pagans.



tianity or with Mohammedanism, for these religions, particularly in the Middle Ages, mixed themselves up with civil wars, recalled men to the duties due to their country, and were united with all the principles of social order. Amidst the growing civilization of Europe, the Christian religion was blended with the other interests of nations ; it was, in fact, the foundation of all society. Those who rejected the laws of the Church ceased to acknowledge the laws of their country.

Religions of  
the ancients  
had less  
influence on  
politics than  
Monotheistic  
religions  
have had.

The religions which had no vital connexion with political institutions were those made up chiefly of worship, external forms, and mythology, and expressing a part of the truths of natural religion in a Polytheistic form. This describes most of the Heathen religions. Then there are natural religions which are organically connected with the State by means of institutions of sacred origin. These are religions of caste or of hereditary classes such as Brahmana, Isis, Druid, the old Mexican and Peruvian ; and then we have the three great Monotheistic religions, Judaism, Christianity, and Mohammedanism. The Polytheistic religions took their respective forms in the mythological age in the countries where they grew up ; or else they were borrowed from surrounding nations. These mythologies contained very little of which the State could make use for its purposes of political training. The religions of caste were, and still are, of greater importance in political life, for they moulded or transformed the states where they flourished by means of religious institutions. We may still study the process in Asia and parts of Africa. These have the most intimate connexion with the State, but are on that account essentially local. Brahmanism, for instance, cannot spread much beyond India, because to introduce its institutions elsewhere would require a complete remodelling of society.

The three principal Monotheistic religions have spread chiefly by ideas of the spiritual world and can be combined with any political form. We find that Judaism in the course of time has had several political forms and could propagate itself in various parts of the earth. But we also find that these three religions differ widely in their diffusive nature and powers of associating with different political ideas. Mohammedanism is capable of combining with various politics



but it has an inclination towards despotic government. Its influence upon government where it is the religion of the masses is greater than that of any other religion.

Christianity, with almost no philosophy, gives birth to manifold philosophies and theologies. With the simplest possible dogmas it can be incorporated with a great variety of institutions. Being intensely moral, by its hold on the conscience it leads men to withstand wrong laws, to oppose conditions that are contrary to its spirit, and to contend with firmness for whatever is true or believed to be true.

Whilst a pure religious belief with moral tenets adds great strength to any constitution, to do so effectually the religious leaders must remain separate from the political leaders. The two offices are incompatible when vested in one person, and one must suffer for the other. The fall of the one great theocracy, the Hebrew nation, is perhaps the best illustration of the impracticability of assimilating too closely mundane polity with divine religion.

When the Hebrews came out of Egypt they were not bound by the law and right of any other nation, but were at liberty to institute any new rites at their pleasure. After their liberation from the intolerable bondage of the Egyptians, they were bound by no covenant, therefore every man entered into his natural right, and was free to retain it or to give it up and transfer it to another. Being then in a state of nature, they followed the advice of Moses, in whom they trusted, and decided to transfer their right to no human being but only to God; they therefore promised with unanimity to obey all the commands of the Deity, and to acknowledge no right that He did not proclaim as such by prophetic revelation. God alone, therefore, had dominion over the Hebrews whose state was in virtue of the covenant called God's kingdom, and God was said to be their king. The enemies of the Jews were said to be the enemies of God, and the citizens who tried to seize the dominion were guilty of treason against God. The laws of the State were called the laws and commandments of God. Thus we find that in the Hebrew state the civil and religious authority, each consisting solely of obedience to God, were one and the same. The dogmas of religion were not precepts but laws and ordinances; piety

Theocratic government is impracticable.

Divine authority of Moses.

was regarded as the same as loyalty, impiety as the same as disaffection; between civil and religious laws and rights there was no distinction whatever. Since the Hebrews did not transfer their rights to any person but as a democracy surrendered all their rights equally, it follows that all were equally bound to the covenant, and that all had an equal right to consult the Deity, to accept and interpret His laws; so that all had an exactly equal share in the government. Later they transferred their rights to consult God to Moses, and they abrogated their former covenant and promised obedience to all that God should tell Moses.<sup>1</sup> Moses therefore remained the sole promulgator and interpreter of the divine laws: he held the sovereign kingship. Though the people had elected Moses, they could not rightfully elect his successors; for having transferred to him their right of consulting God, they were bound to accept as chosen by God any one proclaimed by Moses as his successor. Had he done so the state would have become simply a monarchy, only differing from other monarchies in the fact that the latter are or would be carried on in accordance with God's decree unknown even to the monarch, whereas the Hebrew monarch would have been the only person to whom the decree was revealed. However, Moses left the dominion to those who came after him in a condition which was not a popular government, nor an aristocracy, nor a monarchy, but a theocracy. The right of interpreting laws was vested in one man, while the right and power of administering the state according to the laws thus interpreted, was vested in another.<sup>2</sup>

Inferior  
authority  
of his  
successors.

The main principles of this theocratic constitution on the death of Moses were: first, a tabernacle, the dwelling of God, was built. Here was the sovereign authority of the state. It was erected at the cost of the whole people in order that the place where God was consulted might be public property. Second, the Levites were chosen as courtiers and administrators of this regal abode. Third, Aaron, the brother of Moses, was chosen to be their chief, second only to God their king. Fourth, this chief was to be succeeded by his

<sup>1</sup> Deut. v. after the Decalogue, and xviii. 15, 16.

<sup>2</sup> Numb. xxvii. 21.

legitimate sons. Fifth, all men between the ages of twenty and sixty were ordered to bear arms and form a citizen army, owing allegiance, not to its general in chief, nor to the high priest, but to religion and to God. From these instructions we can see that Moses desired administrators rather than despots as his successors, for he invested no one with the power of consulting God; consequently no one had the power possessed by himself of originating and abrogating laws, of deciding upon war or peace, or of choosing officials either religious or secular. The high priest had the right of interpreting laws and communicating the answer of God, but only when he was required to do so by the general in chief of the army, the council, or some similar authority. The general in chief and the council could consult God when they liked, but could only receive His answers through the high priest. However, as time went on, we find the high priest usurping the rights of the secular chiefs and thus obtaining absolute dominion. These priests were influenced by an intense desire to wield the powers of the sovereignty and the high priesthood at the same time.

Now such a form of government as this could only be suitable for those who desired to have no foreign relations, but to shut themselves up within their own frontiers and to live apart from the rest of the world. It would be useless for men who have dealings with other nations. We find a parallel system of government existing to-day in the case of Tibet, whose happiness is but of the negative type and whose political, social, and intellectual status would appear to have been stationary for centuries.

6. EDUCATION.—We find that every constitutional government from ancient to modern has recognized that the training of the young may be such as to be a danger to the State or to be its greatest support. The ancients in their best systems of education did far better service to child nature, considering what they knew and what they did not know, than we do under the modern dispensation. They aimed, by a public training of children, at improving the habits and character of the people, at making the young obedient to the law and good citizens when they grew up. Then, too, we find that they called in religion, poor as it was, to add its sanctions to morality.

Theocracy is suitable only to isolated communities.

Tibet.

Statesmen have always recognized the importance of education.

The practical reason actuating the governments of ancient states in the education of children was to train up a body of freemen who by their strength and skill would be serviceable to the nation and by their intelligence would be fit for the higher work of the citizen in official posts or public councils. In arriving at this a certain idea of what was becoming for the free citizen—the cultivation of a manly, liberal, harmonious, and dignified character—the opposite of the spirit of the slave—was the guide and standard.

Yet education  
has its  
dangers.

But it was recognized that a section of the population must labour; there was the same need for manual as for intellectual work, and therefore education, although obtainable, was not easily within the reach of the serfs or slaves; and yet this class was a contented one. It was held that the education of the mass of the people would have violated the imagined rights of property and endangered the stability of the republics. The ancients guarded against that very evil which is becoming so active in India to-day, the creation of an educated class sprung from the masses and for whom there is no employment. By removing these people from their natural sphere, a national danger has been brought into existence which must increase as this class swells. We find that those nations who regarded the children as an asset of the State and made provision by legislation for their training, occupied a more important and lasting position in the world than those states which neglected their youth. But here we are dealing with a condition affecting the government of states which is of a controversial nature. In dealing with it as affecting the future government of the British Empire, many varying factors have to be considered, but even so it makes the lessons of the past of great value. We have seen how Greece, by carrying its State-aided æsthetic culture to an extreme, denuded herself of the very material so urgently required to keep herself intact; over-education of any one particular class will kill that class, and as a nation must be made up of many classes the loss of one may destroy the whole. The outcry against class legislation becomes a danger to the State when it embraces the denunciation of class education.

We have now considered some of the main conditions



affecting the government of the State. Collectively they become the character of the people, and the nation, to be truly great, must stand by the character of its people; as this fluctuates so will the expansion or contraction of the nation be observed. The Japanese, a nation of exotic growth, Japanese are a nation of brilliant promise. evidently destined to go far in history, are well preparing themselves for a long and glorious journey by moulding the character of the people, and that upon scientific lines. The lessons of the past are there no more neglected than are those of the present. All the natural conditions requisite for imperial expansion belong to Japan. The genius of her people will do the rest. The most efficient system of government for her future career has been adopted. Her statesmen have realized that a necessary adjunct to efficient government is a religious belief, that intangible something which when morally pure is a stimulant to character and is the most powerful ally of good government.

## CHAPTER V.

### THE BEGINNING OF BRITISH IMPERIALISM.

British  
Imperialism.

THE preceding chapters have served to remind us of nations that have shone in the past either by virtue of their wisdom in government or by reason of those martial exploits which brought them into the front rank. We have seen how, even in ancient times, political questions considered to-day of a burning nature were controversial then.

The review, though necessarily brief, of the history of some of the principal constitutionally governed states of the past, has been made with the object of impressing on the memory points of resemblance to and of difference from many that will be found in a survey of the history and government of the British Empire.

But before discussing the system by which the Empire is governed it will be necessary to become well acquainted with the material of which it is composed and with the manner in which it has been brought together into that structure the management of which it is proposed to consider and, it is trusted not impertinently, to discuss critically.

Imperialism is often erroneously defined as "the predominance of race". A great British Imperialist somewhat thoughtlessly gave this definition on an important occasion<sup>1</sup> and this has been distorted by enemies to mean the rule of one race or people involving the subjection and actual or potential coercion of others. But British imperial rule means nothing of the kind. Like the policy of Augustus it aims at the assimilation of many races under the beneficent rule of one sovereign.

Growth of  
England.

Up to the middle of the sixteenth century England, like

<sup>1</sup> "Inaugural Address of Lord Rosebery as Lord Rector of Glasgow University," 1900.

Rome and Venice before her, was acquiring that internal strength so necessary for use in her expansion; her geographical situation, physical conformation, and climate tended towards moulding the character of the people into that of a great sea-faring nation and a colonizing power.

For five centuries prior to Elizabeth ascending the throne, England had a foothold on the continent. This had varied in extent, but with the loss of Calais the English sovereignty ceased to exist beyond the shores of the British Isles. It even appeared then as if the English as a nation were on the decline. When Elizabeth began her reign at the age of twenty-five, she found her realm shorn of its last continental possession, wrested from it by force of arms; the state of the country and the condition of her people were deplorable, the nobility were poor and decayed, the mass of the people had fallen into a state of disorder, the towns and villages were filled with tramps and vagabonds, and crime was everywhere rife. Religious disputes had contributed largely to this state of affairs. The Wars of the Roses had resulted in the dissolution of the monasteries, and in the disappearance of the old nobility.

Elizabeth and her Ministers realized that the peculiar isolation of England at this time demanded the reorganization of the Navy, that instrument responsible for the future creation of the Empire. The Queen directed a survey of the Navy to be made, with a strict inquiry into the causes of its decay and the means by which it might be made efficient. She issued orders for preserving timber fit for shipbuilding, directed the casting of new cannon and encouraged the manufacture of gunpowder at home. Hitherto this had been imported from abroad at great expense. For the security of the fleet, which generally lay in the Medway, the fortress of Upnore Castle was built. The number of seamen was increased and their pay raised, and foreigners, mostly Venetians, were encouraged to come to England to give instruction in navigation. The example set by the Queen and Government excited a spirit of emulation among the people, and they exerted themselves in a like manner by repairing ports and building vessels of all sizes, especially ships fit for war as well as commerce. According to Camden, "the

Loss of  
continental  
possessions.

Queen  
Elizabeth's  
policy.

Queen justly acquired the glorious title of the restorer of naval power and sovereign of the northern seas inasmuch that foreign nations were struck with awe at the Queen's proceedings and were now content respectfully to court a power which had been solately the object of contempt".<sup>1</sup>

Elizabethan  
Navy.

In 1562 the Queen issued a proclamation making all French shipping prize-worthy. This had the effect of bringing into being that class of adventurer, the privateer, responsible for many of our early colonial conquests. Privateering was a year later extended to Spanish shipping. The wealth to be thus obtained drew a very large proportion of Englishmen to the sea. But whilst the instrument by which the Empire was to be acquired was being made efficient around the shores of England, the foundations upon which a prosperous Empire was to be built were being laid in some of the chief towns. The refugees of all nations who fled to England for protection on account of religious beliefs, were not only received with hospitality, but were granted various privileges in order to induce them to stay and to set up those manufactures at which they had laboured in their respective countries. This policy succeeded so well that Colchester, Norwich, Yarmouth, Canterbury, and many other places were filled with industrious foreigners who taught the weaving of silk and worsted stuffs. Many refugees from Germany were sent into the northern counties, where they were employed in mining, smelting iron, forging tools, and making saltpetre, all industries unknown in England prior to the arrival of these foreign refugees. The sudden growth of England's sea power and her commerce threatened to interfere with the ambitious schemes of Philip of Spain. He therefore made elaborate preparations for the crushing of this rising power. In the meantime our own privateers were sent to operate in the West Indies, where they carried on a flourishing trade to their own profit and to the public benefit, for they became familiar with the ports, rivers, and fortifications of these islands, destined by the knowledge thus gained to come into the possession of England. As traders, they became acquainted with the nature of the commerce carried on there, which proved of future benefit.

<sup>1</sup> Camden, "Annal," Vol. I, p. 85.



That a Spanish descent upon England was fully anticipated by the Queen and her Ministers is made evident by the extraordinary precautions taken. In 1574 and onwards we find frequent instructions for inspecting fortifications, examining the condition of the ports, and for the holding of frequent musters of the militia. Therefore for fourteen years preparation was made to repulse a Spanish invasion. During that period our seamen gained a certain amount of contempt for the fighting qualities of the Spaniards and had themselves established a reputation as fighters.

On 21 July, 1588, the great fleet known as the Spanish Armada approached England, but by the 29th, partly by Defeat of the Spanish Armada. defeat and partly by storms, it was destroyed. With the destruction of the Armada, the road was cleared for the steady expansion of the British Empire. It is from this date that we must also reckon the rise of Great Britain's sea power. The odds against which the English fleet won this great victory created a standard of naval efficiency so high that in striving to keep up to it British seamen have ever remained efficient. The ideal set by the victors over the Armada has been mainly responsible for many of our subsequent naval victories. Having cleared them from our shores, the Navy was at liberty to carry the war into the enemy's waters. Drake and Norris attacked Corunna, Lisbon, and Vigo. Cumberland took Fayal in the Azores. In 1596, Howard, Essex, and Raleigh entered Cadiz harbour, took the city and destroyed sixty large new galleons lying under the guns of the forts. The Azores were again attacked and Fayal captured for a second time. Cumberland sailed to Puerto Rico and pillaged that place.

Two names conspicuous during this reign as builders of Sir the foundation of our empire, are those of the two half-Humphrey Gilbert and Sir Walter Raleigh. brothers Sir Humphrey Gilbert and Sir Walter Raleigh; but whilst both of these great seamen had the courage and ability to undertake successfully schemes of discovery and colonization, had it not been for the material and practical encouragement given them by Queen Elizabeth and her Ministers, they would not have achieved such results.

In 1578 Sir Humphrey Gilbert secured from the Queen an ample patent, wherein he secured full power to undertake the western discovery of America and to inhabit and possess any

lands hitherto unsettled by Christian princes or their subjects. Sir Humphrey raised the money among his friends to fit out an expedition of discovery and settlement, and in the spring of 1583 his small fleet consisting of five vessels set out on its voyage of discovery. Here was the beginning of that career of colonization which has since been the envy of other nations. Here was the genesis of those Anglo-Saxon nations which have sprung up in the lands settled by this small band of adventurers or by those, filled with the spirit of emulation, following their example.

First  
attempt at  
colonization.

The small fleet consisted of the "Delight," of 120 tons, with Sir Humphrey Gilbert and Captain William Winter, the "Raleigh," 200 tons, built, manned, and victualled at the expense of Sir Walter Raleigh, under the command of Captain Butler, the "Golden Hinde," 40 tons, commanded by Captain Edward Hayes who was also her owner, the "Swallow," 40 tons, commanded by Captain Maurice Brown, and lastly the "Squirrel," of 10 tons, commanded by Captain William Andrews. In August 1583 this small fleet of pigmy vessels (as compared with the ocean mail steamers of to-day) arrived in the harbour of St. John's, Newfoundland. Sir Humphrey took possession in the name of the Queen of England, and granted as her patentee certain leases to those who were willing to take them. On 20 August the "Swallow" was sent to England with the sick, and the four remaining vessels continued their voyage to the American continent, but a few days later the "Delight" was lost with all but twelve men. Although the weather was tempestuous Sir Humphrey took his post in the "Squirrel". This boat was too small to weather the seas, and on 3 September she foundered with Sir Humphrey Gilbert and her crew. Thus England paid in gallant lives her first toll for colonization. Sir Humphrey Gilbert was the first Englishman to introduce a legal and regular method of settlement in our colonies, and he it was who gave to us our oldest colony.

Raleigh's  
expeditions.

The loss of his half-brother in no way deterred Sir Walter Raleigh from continuing his projects of colonization, and in 1584 he obtained Her Majesty's Letters Patent in terms similar to those previously granted to Sir Humphrey Gilbert. Under this patent he, at his own expense, fitted out two

vessels and dispatched them, under the command of Captains Philip Amados and Arthur Barlow, to the coast of North America. In July 1584 this expedition took possession, in the name of the Queen of England, of a portion of the American continent and named it Virginia. Between 1584 and 1588 five expeditions were dispatched at Sir Walter Raleigh's expense to the newly acquired colony of Virginia with the object of creating settlements there. After the fifth expedition he assigned all his rights, titles, and interests in this territory to a company of gentlemen-merchants in London in hopes that they might be more successful than he had been in the settlement of the country. Sir Walter Raleigh had up to now expended some £40,000 upon this project of settling colonies on the American coast. His main object in renouncing his rights in favour of a company was to strengthen this infant colony by interesting a number of joint adventurers in the settlement. But the times were far from propitious for colonization, the adventurous spirits who alone could be expected to settle in strange lands, in days when communication was slow and tedious, were mostly employed in the more exciting and profitable work of despoiling their national foe, the Spaniard. Yet even in doing this they were unconsciously making firm the foundations of British imperialism, for they were establishing those traditions of seamanship that have been largely responsible for carrying their descendants so far. It was now that Richard Hakluyt added his energies towards the colonization of America. In order to excite his countrymen to naval enterprise he appealed to their patriotism and national vanity. In 1589 he published a collection of voyages and discoveries made by Englishmen and he also translated some of the best accounts of the progress of the Portuguese and Spaniards in their voyages both in the East and West Indies. He was consulted with regard to many of the attempts towards discovery and colonization during the latter part of Elizabeth's reign. In 1606 the holders of Raleigh's charter formed a joint stock company for the purpose of exploiting their territory, but James I, who prided himself on his profound skill in government, and who had begun to consider the advantages to be derived from colonies, was of opinion that

New  
England.

the territory held under the Raleigh charter was too vast for any one body of men, however respectable, to control. He therefore divided the territory between two branches of a company; one was the London branch, and the other the Plymouth branch. The former took the coast strip from Cape Fear to the Hudson and the latter took the lands from the Delaware to the Bay of Fundy. Neither the sovereign who granted this charter nor his subjects who received it had any conception that here were laid the foundations of a mighty nation that within three centuries would number a population exactly double that of the mother country. Yet even at this time King James began to realize that his realm was evolving into an empire, for on 31 March, 1607, he concluded his speech to the Lords and the Commons with these words: "When you meet again remember, I pray you, the truth and sincerity of my meaning, which, in seeking union, is only to advance the greatness of your empire seated here in England, and yet with such caution I wish it as may stand with the weal of both states".

Government  
of the  
colonies.

These two branches of one company were at first organized under a single charter, each to be governed by a council appointed by the King, and those councils were to appoint councils consisting of thirteen members to reside in the colonies with powers practically unlimited. Nevertheless the King covenanted with his colonists as follows: "Also we do, for us, our heirs and successors declare by these presents that all and every, the persons being our subjects which shall go and inhabit within the said colony and plantation, and every their children and posterity which shall happen to be born within any of the limits thereof shall have and enjoy all liberties, franchises, and immunities of free denizens and natural subjects within any of our other dominions to all intents and purposes as if they had been abiding and born within this our realm of England or in any other of our dominions".

Infringement  
of the  
colonists'  
rights by  
George III's  
Ministers.

This principle that British subjects born in America should be entitled to the same political freedom as if born in England was one upon which the colonists always insisted, and it was the repeated and persistent attempts of the British Government, during the reign of George III, to infringe it that led the American colonies to revolt and declare their in-



dependence. Here in this charter, granted three centuries ago, we find the true spirit of Imperialism and one of the principles that must be recognized before imperial government can be efficient and successful. The imperial franchise instituted by Augustus for the Empire of Rome is imitated by James I in one of the first charters granted for the founding of British colonies; the departure from the principle resulted in the loss of the States, just as the strict adherence to it by the successors of Augustus retained to Rome her colonies.

The council resident in England for the government of these colonies was nominated by the King; it was to govern the colonies according to such laws and ordinances as should be given under his sign-manual. Yet the executive authority was vested in the councils of thirteen, resident in the colonies. Owing to the very considerable time which would elapse in communication between the home and the colonial councils this meant that the latter were supreme. The charter permitted whatever was necessary for the sustenance or commerce of the new colonies to be exported from England during the space of seven years without payment of any duty; and as a further inducement to industry the King granted them liberty of trade with other nations and the right of appropriating the duty levied on foreign commodities for twenty-one years, as a fund for the benefit of the colony.

Under this charter the progress of the two colonies, the provinces of Virginia and New England, form a regular and connected story. Virginia in the south and New England in the north may be considered as the parent colonies, in imitation of which all the others have been successively planted and reared.

In 1607 the first party of settlers sent out under the new charter arrived in Virginia and formed the first colonial town, that of Jamestown, named in honour of the reigning sovereign. The history of the first party of settlers is unfortunate; they had been badly selected, and violent animosities arose between the leaders. The first action of the council which assumed the government in virtue of a commission brought from England under the seal of the company, and opened on the day after they landed, was an act

Settlement of  
Jamestown.

of injustice. Captain Smith, who had been appointed a member of the council, was excluded from his seat at the board, by the mean jealousy of his colleagues. Then soon after they began to settle, the colonists became involved in a war with the natives, partly by their own indiscretion. Within six months one half of their number died of disease and privation. It was now that Captain Smith was called upon by the dejected colonists to assume the leadership. This man's undaunted spirit, characteristic of military adventurers in that age, was peculiarly fitted for the position he was now called upon to assume. His first care was to fortify Jamestown and then with the few able-bodied men at his disposal he marched out against the natives and drove them from the vicinity of the settlement. A year later the small settlement was augmented by another party of one hundred settlers from England. But now that fact responsible for the downfall of the Spanish colonies, the lust of gold, showed itself in this small settlement and very nearly resulted in the extinction of the colonists. In a stream near the town some enterprising individual discovered a shining mineral substance which was immediately pronounced to be gold, and the implements for the cultivation of the soil were at once converted into mining tools. Smith tells us "There was now no talk, no hope, no work, but dig gold, wash gold, refine gold". The cultivation of crops and every other useful occupation were totally neglected. The season was lost and a famine set in through this neglect of the colonists. Fatal consequences were only averted by the energies of Captain Smith. He opened up negotiations with some of the more remote tribes and by means of barter secured relief for the immediate wants of the settlers.

Progress of  
Virginia.

Whilst the small band of colonists were braving the dangers of native wars, disease, and privation, the directors of the company in England were endeavouring to attract people to these possessions. But the supreme direction of all the company's operations by the King—a right he had reserved to himself under the charter—discouraged persons of rank and property from becoming members of a society so dependent on the despotic will of the Crown. This was represented to the King and he thereupon granted a new charter, in

which he enlarged the boundaries of the colonies. He rendered the powers of the company, as a corporation, more explicit and complete. He abolished the jurisdiction of local councils; he vested the government entirely in a council resident in London; he granted to the company the right of electing the persons who were to compose this council by a majority of voices; he authorised this council to establish such laws, orders, and forms of government and magistracy for the colony and plantation as they in their discretion should consider to be for the good of the inhabitants there; and he empowered them to nominate a governor to have the administration of affairs in the colony and to carry their orders into execution.<sup>1</sup> These concessions put new life into the company, for having acquired the power of regulating its own transactions the number of shareholders increased and among them were some of the best names in England.

The first governor to be appointed by the council under the new charter was Lord Delaware. He displayed that spirit which has been one of the best factors in successful colonization by Great Britain, the spirit of self-sacrifice on the part of the aristocracy; a spirit of which a republic, possessing no aristocracy, can never find an equivalent. Here we find a man, and hosts have come forward since, willing to relinquish all the comforts of an honourable station, to undertake a long voyage, and to settle in an uncultivated region, destitute of every accommodation to which he had been accustomed and where he anticipated trouble, toil, and danger. Prior to the departure of Lord Delaware, nine ships conveying 500 new settlers were dispatched to the colonies. These were under two lieutenant-governors, Gates and Summers. During the passage the fleet was dispersed by a storm and a portion of it with the two commanders was stranded on the Bermuda Islands. The remaining vessels reached Jamestown only to find the few settlers there in a state of anarchy. Captain Smith, owing to an accident, returned to England. This left the colony without a leader. Faction and discontent now rose so high among the colonists that they could not be kept within bounds. Many of the new-comers were young

Lord  
Delaware's  
governorship.

<sup>1</sup> Stith, Append. VIII.

men of rank, but of such dissipated character that they were a danger to the community. These persons were incapable of the regular subordination, strict economy, and persevering industry that their situation required. Owing to the incompetency of these men and the anarchy that now prevailed, the colony was again overtaken by famine and reduced to such extremities that in less than six months only sixty survived out of 500, and this remnant was only saved by the timely arrival of Gates' and Summers's party from Bermuda. It was now decided to abandon the colony, and the exodus had actually begun when Lord Delaware arrived, with three ships conveying new settlers. Under the wise rule of the new governor the colony once more assumed a promising appearance.

By 1612 the colony had taken a regular form. Owing to the state of discontent in which Lord Delaware found the settlers he considered it necessary to rule by martial law, and this was followed by his two successors, Mr. Percy and Sir Thomas Dale. The severe discipline exercised with prudence and moderation had forced the activity of the colonists into a proper direction; by their industry they soon produced more than was requisite for their own sustenance. In this year, 1612, a new charter was granted by which all the former privileges were confirmed and the term prolonged for the exemption from payment of duties on the commodities exported by them, more extensive property was granted as well as more ample jurisdiction. All the islands lying within three leagues of the coast were annexed to the province of Virginia. The company took possession of the Bermudas and the other small islands.

Relationship  
with the  
natives.

We now come to the first step in a policy which has ever since made Great Britain conspicuous in the eyes of other nations, that is, her peculiar relationship with her subject races which means so much in the successful governance of Empire. Sir Thomas Dale, now governor, concluded a treaty with one of the most powerful and warlike tribes of Indians in the province. By this treaty they consented to acknowledge themselves subjects of the King of Great Britain, to assume henceforth the name of Englishmen, to provide a force of warriors to the assistance of the English as often as



they took the field against any enemy, and to deposit annually a stipulated quantity of corn in the storehouses of the colony.

Hitherto the colony had worked in community of interests. No right of private property in land had been established, cultivation had been by joint labour and the product had been distributed weekly to every family according to its number and requirements. This had long been the cause for grave discontent, for it was an encouragement to the idle and improvident. In order to remove this grievance a portion of the land was divided into small holdings and one was granted to each individual in freehold.

We now arrive at the time when Great Britain successfully attempted a departure from previous and contemporary systems of colonial governance. Hitherto colonies had been governed under the constitution of the parent state, powers of government had been delegated to individuals or to local bodies, as has already been cited in the case of Rome, but such powers were either temporary or restricted. A vast improvement on the most efficient and liberal form of local government hitherto attempted was made in the case of the American colonies on 17 July, 1619, by the granting of what I will term a sub-constitution. I use this term to describe an instrument for the government of the colony by the people of the colony modelled upon the English Constitution. This sub-constitution gave a legal and permanent form to the government of the colony. The supreme legislative authority in Virginia, in imitation of that in Great Britain, was divided and vested partly in the governor, who held the place of the Sovereign; partly in a Council of State nominated by the company, and possessing some of the distinctions and exercising some of the functions belonging to the House of Lords; and partly in a general council or assembly, composed of the representatives of the people. In the latter assembly were vested powers and privileges similar to those of the House of Commons. In both these councils all questions were to be determined by the majority of voices, the governor reserving the power of veto; but no law or ordinance, though approved of by all the three members of the legislature, was to be of force, until it was ratified in England by a general court of the company

Some  
measure  
of Socialism  
at first existed  
in the colony.

Extension of  
self-govern-  
ment.

and returned under its seal. We find here the model of all those sub-constitutions since given to many of the larger colonies of the Empire ; and we see too that the introduction of responsible government for the colonies was made not by the statesmen of the mother country but by the directors of a commercial trading company, for this sub-constitution was granted by the company by virtue of the powers vested in it under its own charter.

The colony was now a free community of citizens, who as electors sent their representatives to their own parliament to make laws for their government. The company's interests were safeguarded by the legislative council, whilst the Crown was represented in the person of the governor. To the genius of some company director must be given the credit of originating that policy of responsible government which has given freedom to the colonies when they have grown strong enough to bear it. This freedom has been the strongest bond between the mother country and her self-governing colonies.

Disputes with  
Great Britain  
over the  
tobacco trade.

Under a settled policy of government the colony began to increase rapidly. There was an immediate increase in the industry of the people. The staple product of the colony had for some time been tobacco. The company opened a trade in this commodity with Holland, as there was a considerable surplus left after the requirements of Great Britain had been supplied. Here we find the first political difference between mother country and colony, the grounds for which remain to the present day. The Imperial Government—and by this title I will in future refer to the Home Government—alarmed at seeing the commerce of a commodity for which the demand was daily increasing turned into a channel that tended to the diminution of revenue by depriving it of a considerable duty imposed on the importation of tobacco, interposed to check its export to foreign countries. The Imperial Government claimed that the trade of the colony should be confined to England and all its productions be landed there. The colonial Government contended for the general privilege of Englishmen to carry their commodities to the best market, and cited the particular provision in their charter by which an unlimited freedom of commerce seemed to be granted to

them. The Imperial Government ended in allowing the matter to stand in abeyance.

How often we find that whilst settled government brings Prosperity and progress, the people are lulled by it into a <sup>engendered</sup> false and dangerous sense of security, and the all-important <sup>a false sense</sup> of security. policy of home defence and the training that belongs to it are neglected. Our first colony is a regrettable example of this. Under settled government and local freedom the colony prospered and rapidly increased, settlements were scattered along the banks of the James and York rivers and had been extended to the Rappahannock and the Potomac. In their growing prosperity the settlers lost sight of the question of their defence from hostile natives. Like the peaceful inhabitants of a society completely established, they were no longer soldiers but citizens, and were so engrossed in what was subservient to the comfort and embellishment of civil life that every martial exercise and training was laid aside as unnecessary. The colonists paid dearly for this neglect <sup>Massacre by the natives,</sup> of the very first duty of citizenship, for the natives attacked the scattered settlements without warning and massacred men, women, and children. Jamestown was only saved by timely warning. It is estimated that over one-fourth of the settlers were murdered. The lesson was costly but it had its effect, and this was shown in the revenge meted out to the Indians. This massacre of the colonists and the war carried on by the survivors against the Indians drew the attention of the Imperial Government to the colony. King James <sup>and its results.</sup> and his Government, eager to resume full control over a colony that appeared by its increasing commerce with foreign countries to be growing independent, seized this as a pretext for cancelling the charter and dissolving the company. On 8 October, 1623, the King signified to the company his intention of vesting the supreme government of the company in a governor and twelve assistants resident in England, and the executive power in a council of twelve, which should reside in Virginia. The governor and assistants were to be originally appointed by the King. Future vacancies were to be supplied by the governor and his assistants, but their nomination was not to take effect until it should be ratified by the Privy Council. The twelve councillors in Virginia were to

be chosen by the governor and assistants. This choice was also subject to the review of the Privy Council. In view of these changes the company was required to surrender its charter immediately; but this the company was not prepared to do tamely. They were not willing to relinquish rights of franchises granted with such legal formality, and upon the faith of which they had expended large sums of money; and they were still further averse to the abolition of that policy of colonial government which they had so successfully inaugurated—a popular form of government, in which every proprietor had a voice—in order to subject a colony, in which they were so materially interested, to the domination of a small junta absolutely dependent on the Crown. A lawsuit was brought in the King's Bench and was decided, as was natural in that reign, against the company. The charter was forfeited, the company dissolved, and the rights and privileges conferred upon it returned to the King. Before the King could frame a policy of colonial government to take the place of that which he had so rudely uprooted, he died, and Charles I contented himself with the appointment of a governor, a council of twelve, and a secretary resident in Virginia to exercise the supreme authority there. During a great part of this reign Virginia knew no other law than the will of the Sovereign. Not only were the colonists deprived of political rights which they deemed essential to freemen and citizens, but their private property was violently invaded. They were also prohibited by proclamation from selling tobacco to any persons but certain commissioners appointed by the King.

Loss of  
colonial  
liberties.

Despotic  
governors.

We now arrive at an incident in the history of the colony which carries with it special value, as it serves to illustrate how much depends in successful government on the individuals selected as officials, particularly when great powers have to be exercised. In this case, as in many that have happened since, the personal equation was responsible to a very great extent for successful and efficient government. Under the scheme of Charles I for the government of Virginia, Sir George Yardley was appointed governor. This official and his council appear to have been fit instruments for carrying out the policy of arbitrary rule, and they placed such a construction on the words of their commission as was most



favourable to their own jurisdiction. Yardley was succeeded by an even more despotic governor in the person of Sir John Harvey. He is described as being rapacious, unfeeling, and haughty, and as adding insolence to oppression, and neither regarding the sentiments nor listening to the remonstrances of the people under his command. The colonists being scattered in small communities and being far from the seat of government, and overawed by authority derived from a royal commission, submitted for some time to his tyranny. But at last their patience was exhausted, and in a transport of popular rage and indignation they seized the governor and sent him a prisoner to England. They also sent a deputation of two colonists to prefer certain accusations against him to the King. But as is only to be supposed, a proceeding so irregular and violent was altogether repugnant to every notion which the King held with respect to the loyalty and obedience of subjects, and he could only regard such summary and undignified treatment of his representative as an act of rebellion against his authority. The King refused to hear the delegates and sent Harvey back to the colony with all the powers he had previously enjoyed, but this was only done as a sign of his disapproval of the methods employed by the colonists in bringing their grievances to his notice, for he shortly afterwards removed Harvey and sent as a successor Sir William Barkley, a person superior to Harvey in rank and ability, and possessing all the tact and qualifications so necessary in guiding the destinies of a young and growing community. The new governor carried with him the royal instructions which empowered him to govern in all its concerns, civil as well as ecclesiastical, according to the laws of England. He was directed to issue writs for electing representatives of the people, who, in conjunction with the governor and council, were to form a general assembly, and to possess supreme legislative authority in the community. These royal instructions provided for the establishment of courts of justice, in which all questions, whether civil or criminal, were to be decided agreeably to the forms of judicial procedure in the mother country.

The governor of a colony is the representative of royalty—to the loyal colonists he is royalty; it is therefore impossible

Loyalty of  
the Virginians  
to the  
monarchy  
during the  
Civil War  
and the  
Common-  
wealth.

to overestimate the great care that should be exercised in the selection of this official. A governor can, by his behaviour, represent his royal master either as a wise and beneficent ruler or as a personage who calls for no respect. Sir William Barkley's governorship is a vivid illustration of this; his personality won the colonists' affection, not alone for himself but for the Throne. After monarchy was abolished, Charles I beheaded, and Charles II driven into exile, the authority of the Crown continued to be acknowledged and revered in Virginia. This strenuous loyalty of the colonists so irritated the Commonwealth Parliament that a proclamation was issued in which the colonists of Virginia were declared traitors, and in 1651 a squadron of warships with a considerable body of land forces was dispatched against the colonists of the West Indies and Virginia. Barbados and the other islands submitted without resistance, but not so Virginia. Barkley organized the colonists and they took up arms for the King against their own countrymen, but they were unable to maintain such an unequal contest. Their gallant defence, however, procured them favourable terms. A general indemnity for all past offences was granted, they acknowledged the Commonwealth and were admitted to a participation of all the rights enjoyed by the citizens of the Empire. For eight years Virginia remained in perfect tranquillity under governors appointed by the Commonwealth. During this time the ranks of the colonists were considerably strengthened by numerous adherents to the Royalist party who escaped from England. On the death of the last governor appointed by Cromwell and before a successor could be appointed, the colonists, no longer under the control of authority, forced Sir William Barkley, who had remained in the colony as a private citizen, to quit his retirement and assume the governorship. They erected the royal standard and declared Charles II their lawful sovereign. Thus we see that Virginian colonists were the last of the King's subjects to renounce their allegiance and the first to return to it.

Act of  
Navigation.

Shortly after this incident Charles II was seated on the throne of England much to the joy and exultation of a colony expecting punishment from the Commonwealth. Unfortunately the loyalty of the Virginians was ill requited

by the new Sovereign and his Ministers, for one of the first Acts passed was one of repression of the colonists. This was the Act of Navigation, an Act brought into being with the laudable object of creating an inter-imperial trade, and to us of the twentieth century it appears strange to find the Imperial Government forcing trade between herself and the colonies and to discover the strongest opposition on the part of the colonies to a fiscal policy which many of us consider will yet be one of the strongest links in imperial federation. But the Act of Navigation went too far in the direction of compulsion. It stipulated that no commodities should be imported into any settlement in Asia, Africa, or America, or exported from them, "but in vessels of English or colonial build, whereof the master and three-fourths of the mariners shall be English subjects, under pain of forfeiting ship and goods; but none but natural-born subjects or such as have been naturalized, shall exercise the occupation of merchant or factor in any English settlement, under pain of forfeiting their goods and chattels; that no sugar, tobacco, cotton, wool, indigo, ginger or woods used in dyeing of the growth or manufacture of the colonies, shall be shipped from them to any other country but England, and in order to secure the performance of this, a sufficient bond with one surety, shall be given before sailing by the owners, for a specific sum proportional to the rate of the vessel employed by them". By an amendment to the Act, the importation was prohibited of any European commodity into the colonies but what was laden in England in vessels navigated and manned as the Act of Navigation provided. The principles of policy on which this Act and the amending Act were founded were avowed in a declaration, "that as the plantations beyond the seas are inhabited and peopled by subjects of England, they may be kept in a firmer dependence upon it, and rendered yet more beneficial and advantageous unto it, in the farther employment and increase of English shipping and seamen as well as in the vent of English woollen and other manufactures and commodities of those plantations, and in making England a staple, not only of the commodities of those plantations, but also of the commodities of other countries and places, for the supplying of them; and

it being the usage of other nations to keep the trade of their plantation to themselves".<sup>1</sup> The Act of Navigation passed by the Imperial Government without in any way consulting them, created the gravest discontent in the colonies. The Virginians, seeing no prospect of having it repealed, set themselves to evade it. This created a strained relationship between officials and colonists which remained to the last.

Trade  
restrictions  
caused  
discontent.

In 1663, a project for secession from the Crown was only defeated by the vigilance of the governor. But this spirit of discontent was not extinguished; daily some fresh incident occurred to revive and to nourish it. The staple product, tobacco, declined in value, confined as it was to one market, causing depression which but added to the growing discontent. In 1676, an insurrection led by one Nathaniel Bacon broke out. The capital, Jamestown, was burnt to the ground by the insurgents, and the governor and council sought safety in flight. Bacon, however, died before he could achieve his purpose of organized secession, and for want of a capable leader to succeed him the insurrection came to an end. Here we have an illustration of the evils which are bound to attend repressive legislation for the colonies by the Imperial Government. The history of this colony from then until 1754 contains few incidents worthy of note.

Colonization  
of New  
England.

We will now glance at the progress made by the Plymouth branch of the American company in the colonization of New England. At the beginning of the seventeenth century, the Netherlands were renowned for religious independence and colonial enterprise. This liberal policy had drawn to the Low Countries a number of English families. The Puritans had domiciled themselves in Leyden. This community had long chafed under the disability of being denied a voice in the political government of their growing community. Learning then of the need of emigrants for the Plymouth company's lands in the West, they believed that where others would not go, they could enjoy freedom of worship unmolested, and at the same time remain loyal to the flag and race of their forefathers. After some delay in negotiations the Plymouth company granted this community a concession of lands. In

<sup>1</sup> 13 Car. II, c. 7.



August 1620, the first party embarked at Southampton on board the "Speedwell" and the "Mayflower," two small ships which put back twice for repairs. Finally the "Mayflower" alone sailed, and after many mishaps and misfortunes cast anchor off the coast of New England on 9 November, 1620. One month was spent by those on board in selecting a place for landing. Finally they went ashore at Plymouth on 11 December, 1620. It was on the voyage to their new settlement that the colonists drew up the constitution which was to govern the colony. This constitution recognized the sovereignty of England, it provided for a "body politic" for defence, and the enactment of laws and the maintenance of government. The freemen chose the governor, and all male members of the Church were permitted to take part in public affairs. The assemblies of the people were more in the nature of vestry meetings at which the elders introduced and discussed such few legislative questions as arose. In 1637 a House of Representatives was introduced and all colonial officers were annually elected.

In the meantime John Endicott formed the colony of Massachusetts. The colonists here were organized as a corporation. A governor, a deputy, and eighteen councillors elected by vote were entrusted with the administration. Four general assemblies of freemen were held every year for the purpose of legislation and the election of members and officers. Once a month the governor, his deputy, and at least seven of the delegated representatives met to transact executive business.

Many of the settlers being dissatisfied with the situation of Salem explored the country in quest of some better situation, and settling in different places around the bay according to their fancies, laid the foundations of Boston, Charlestown, Dorchester, Roxborough, and other towns which have since become considerable in the province. In the year 1622 a grant of land was given to one Georges, governor of Plymouth in England. This grant was situated on the American coast from the Merrimac northward. Emigrants were sent out and the colonies of Maine and New Hampshire were born. In this year some New England settlers, intent on the fur trade, met the Dutch on the Connecticut River and drove them back

Connecticut. westwards, thus saving for England the colony to which that river has given its name.

Rhode Island. But religion continued to play its part in colonization. Those very Puritans who left the land of their birth, because of the intolerance towards their religion, to found and settle a new colony, became just as intolerant, and certain religious disturbances arising in Massachusetts in 1636, drove two small parties of religious innovators to found the tiny colony of Rhode Island and Province.

Thus in a period of sixteen years we see the rise of five settlements side by side, each governing itself by means of an electoral assembly; but as their religion was their politics, the latter business was usually dispatched at vestry meetings and the elders of the Puritan Church were always recognized as the political leaders.

Federation of the New England colonies. These five settlements were cut off from the north by the French, and from their fellow countrymen in Newfoundland and Virginia by the Dutch. This isolation naturally drew the five states closer together, and relying on the indulgent partiality with which all their proceedings had been viewed by their countrymen in England, the people of New England ventured on a measure which not only increased their security and power, but may also be regarded as a considerable step towards independence. Making the danger to which they were continually exposed from the surrounding tribes of Indians the pretext, the four colonies of Massachusetts, Plymouth, Connecticut, and New Haven entered into a union of perpetual confederacy, offensive and defensive, an idea familiar to several leading men in the colonies, as it was framed in imitation of the famous bond of union among the Dutch provinces, whence many of the leading colonists had but lately come. This Act of Union stipulated, that "the confederacies should henceforth be distinguished by the name of the United Colonies of New England; that each colony should remain separate and distinct and have exclusive jurisdiction within its own territory; and that in every war, offensive or defensive, each of the confederacies shall furnish its quota of men, provisions, and money, at a rate to be fixed from time to time, in proportion to the number of people in each settlement; that an assembly composed of two com-

missioners from each colony shall be held annually with power to deliberate ; every determination in which six of their number concur shall be binding on the whole".<sup>1</sup> This, the first federal Act passed within the British Empire, came into force on 10 May, 1643. The Imperial Government sanctioned this Act of Union. In 1675, and 1676, the federation suffered considerably from war with the Indians ; half of the towns were completely destroyed and a great number of their best fighting men were killed. Yet the spirit of independence had so grown that they resolutely declined to seek help from the mother country. This war called for the intervention of the Imperial Government, and in 1687 the charters of these colonies were cancelled and an imperial governor was installed at Boston with absolute power over the whole country from Acadia to Delaware. Thus a despotic government ruled until the Revolution. Then it was that William III arranged the divisions of New England as they stood thenceforth to the days of independence. But an unfortunate principle in imperial government had been established : the most independent and stubborn of colonies had submitted once to the repeal of their charters ; the precedent having been once established there would be no legal excuse for not submitting again.

Before leaving the examination of the system of government ruling the American colonies during the first century of their existence, it is as well to emphasize one peculiarity in the Constitution of New England. Here we find that the religious belief of the people influenced their form of government to a very great extent. They deviated from the charter in this matter, and this deeply affected all the future operations of the colony, and contributed greatly to form that peculiar character by which the people of New England have been distinguished. One of their early franchise laws declared that " none shall hereafter be admitted freemen, or be entitled to any share in the government, or be capable of being chosen magistrates, or even of serving as jurymen but such as have been received into the Church as members ".<sup>2</sup> This resulted in the clergy rising gradually to a high degree of influ-

Importance  
of religion in  
New England.

<sup>1</sup> Hutchinson, p. 124 ; Neal, i. 202.

<sup>2</sup> Hutchinson, p. 26 ; also Chalmers, p. 153.

ence and authority, as by their determination and authority the political condition of every citizen was fixed. In consequence of this ascendancy, which was acquired chiefly by the extreme enthusiasts among the clergy, their opinions became a standard to which all studied to conform.

Constitution  
of Rhode  
Island ;

We have referred to the origin of the small colony of Rhode Island in 1636. Roger Williams, a religious enthusiast, led a band of followers into this unexplored wilderness in consequence of their doctrine that the civil authorities have not any right to regulate matters of creed. In 1663, one John Clark was appointed a delegate to proceed to England to apply for a charter ; this was granted, and it remained in force as the Constitution of Rhode Island until 1842, a period of 179 years.

and of  
Connecticut.

Connecticut is said to have possessed the first written constitution ; this was enacted by popular vote of 4 January, 1639, and according to Fiske's "New England," it was the first written constitution known to history that created a government. The government of the United States to-day is in lineal descent more nearly related to that of Connecticut than to that of any other of the thirteen colonies.<sup>1</sup> Under this constitution only one legislative Chamber was provided, but in 1698, this was amended and an Upper Chamber was created. Up to 1711 the executive and the judiciary formed a part of the legislature, but in that year the judiciary was made a separate system.

The French  
in Canada.

Whilst England was spending money and sending forth her sons to found colonies which were destined to sever from the parent country and develop into a free nation, France, England's ancient enemy, was also at work in settling colonies on the same continent, the result of which expense and labour was to be reaped by England. In the year 1608, Quebec was founded by Champlain. This great man's name will ever stand out in the history of colonization. It had been his dream to found a New France in these regions, but the character of his countrymen militated against extensive colonization. Quebec was taken by an English fleet in 1628, but Charles gave it back together with Acadia to

<sup>1</sup> Fiske, "New England," p. 127.



secure the payment of his wife's dower. In 1670 the Hudson Bay Company was formed. It was granted a charter as free as that given to Massachusetts conveying unlimited powers of colonial government. The region which this charter covered was "all lands and territories upon the countries, coasts and confines of the seas, bays, lakes, rivers, creeks, and sounds, in whatsoever latitude they shall be that lie within the entrance of the straits, commonly called Hudson's Straits, that are not already possessed by the subjects of any other Christian prince or state". At first the company had but a single settlement, situated on Rupert's River; but stations and factories were gradually pushed out in all directions. The settlers were mostly the company's servants and were naturally selected for their hardihood and adventurous spirit. These men had to reckon with the active hostility of the French established firmly in Canada, and who laid claim to these regions. Between 1682 and 1697 several expeditions were sent out from Quebec against the company's forts but seldom did they meet with any success, and from the Treaty of Utrecht to the outbreak of the Seven Years' War (1755) the company's territories progressed. During the peace which followed the wars of Anne and preceded the Seven Years' War, Great Britain had that breathing space necessary to take count of her territorial acquisitions and set them in order. During this peaceful interregnum her exports had grown to £12,000,000.<sup>1</sup> The colonial trade was largely responsible for this, for it had developed enormously, causing Liverpool to rise from a small town to the rank of third port in the kingdom. The early stages of the Seven Years' War did not promise the great triumphs for England that eventually resulted from it, for upon its outbreak something like a panic took place. During peace, Great Britain had neglected the very first duty of a nation, preparedness for war, so that when it did break out and France threatened her she was forced to the ignoble policy of bringing over Hessian and Hanoverian mercenaries to protect the kingdom. In America France appeared to be having it all her own way, for her troops drove the English garrisons from the forts which com-

Hudson Bay  
Company.

Growth of  
British  
commerce.

Seven Years'  
War.

<sup>1</sup> Green.

manded lakes Ontario and Champlain, and Montcalm captured Oswego including a park of British artillery. It was now that England produced the man for her hour of need: William Pitt assumed the reins of government. General Abercrombie was appointed to command the forces in America, and the sympathy of the colonials was won by an order conferring on provincial officers equal rank with those of the Army while in the field. Twenty thousand colonials took the field, 12,000 of these being from Massachusetts and Connecticut; the imperial troops made the army up to 50,000. A British squadron sailed for Halifax to co-operate with the army. Louisburg was first taken, as it had been a serious menace to British commerce. It is outside the scope of this work to recapitulate the operations of the war which won for the Empire her premier colony. Sufficient to relate that on 13 December, 1759, Wolfe captured Quebec by the battle of the heights of Abraham. Here both Wolfe and Montcalm, the French general, lost their lives. The French bravely contested the issue for another year, but at last, surrounded by the British at Montreal, they signed the capitulation, (8 September, 1760) by which the whole of Canada became an integral part of the British Empire.

Conquest of  
Canada.

British  
magnanimity  
to the  
Canadians.

In view of recent events in South Africa, it is instructive to recall the comment made by the author of the "Political Annals of Canada" on the British Government's policy following the expulsion of the French from Canada. He says that, "previous history affords no example of such forbearance and generosity on the part of the conquerors towards the conquered, forming such a new era in civilized warfare that an admiring world admitted the claim of Great Britain to the glory of conquering a people less from the views of ambition and the security of her other colonies, than from the hope of improving their situation, and endowing them with the privileges of freedom".

The government of Canada, after its occupation by the British, will be dealt with in its proper place.

We must now turn to a small colony whose settlement and government afford one or two interesting lessons, the neglect of some of which cost the Empire her American colonies—lessons which must be taken into account in any

constructive policy which may be advocated in imperial governance.

THE WEST INDIES.—For the purpose of this work it is necessary to make a short survey of the early settlement of these possessions, mainly to emphasize the fact that the principle of the self-government of the colonies was recognized in the beginning of imperial government and to demonstrate the fact that among the early builders of our empire there were those who foresaw many of the difficulties that have grown into prominence to-day. These early settlers realized that the time would come when the bonds between the mother country must be drawn closer or they would become so loose as to break asunder. But the study of the settlement of the American colonies and West Indian islands is of value to the political student owing to their being the cradle of our colonial expansion, by reason too, that here are to be met many of the racial problems, economic difficulties, and illustrations in imperial defence calling for attention to-day. We have an example in the West Indian settlements of two peoples representing the highest and the lowest types of humanity being confined in a limited territorial area for a period of three centuries, and we are able to judge by the results as seen to-day the wisdom of the close admixture of the European and the African. In this respect we may find some material that will be of value in guiding us towards our conclusions as to the government of a heterogeneous people occupying ocean-divided lands.

As in the case of the American colonies, the West Indies owe their original settlement to Sir Walter Raleigh. In 1595, on his personally commanded expedition to Guiana he touched first at Trinidad and took possession of this island in the name of Queen Elizabeth. But the earliest of these West Indian colonies to flourish was Barbados. A patent giving proprietary rights over this island was granted by James I to the Earl of Marlborough in 1624, and in the following year the first ship reached there with settlers from England. In 1627, the patent was transferred to Lord Carlisle, from whom the society of London merchants obtained an interest. The following year (1628) Charles Wolferstone, a native of Bermuda the first colonial to hold such an office, was appointed

Value of a  
study of the  
West Indies.

Settlement of  
the islands.

governor.<sup>1</sup> One of Wolferstone's first acts was to create a council from among the leading colonists to advise and assist him in framing laws for the government of the colony. In 1645, a judicial system was elaborated and an improved constitution promulgated. This provided for a legislative assembly of twenty-two members, representing eleven districts, the two representatives from each district being elected by a majority of freeholders. The council created in 1628 remained as the Upper Chamber. This constitution, with but slight amendments, remains in force to the present day, and is therefore the oldest sub-constitution in the Empire. In 1646 a resolution was passed by this legislature, and conveyed to His Majesty's Government, to the effect that in the interests of Empire it was desirable that the colonies should have direct representation in the Imperial Parliament, and upon this resolution receiving unsympathetic treatment by the Imperial Government, in 1651 this colonial legislature boldly declared that it was not bound by the decrees of a parliament in which it was not represented.

Their form of  
government.

In 1640 the sugar industry was founded in the island, and within ten years the population had increased to 50,000 Europeans and 100,000 Negroes engaged directly or indirectly in this industry.

Constant war  
in the West  
Indies.

In 1650 Barbados, now a prosperous colony, drew Cromwell's attention to the West Indies by proclaiming Charles II King and openly defying the Commonwealth. The English fleet which subdued the loyalists of Virginia bombarded and burnt the capital, Bridgetown. In 1655 Cromwell openly invaded the Spanish possessions of America; a British fleet attacked Hispaniola, but being beaten off, attacked and took Jamaica. To this island the Imperial Government sent settlers from home, and from Virginia, Barbados, and Bermuda. It now superseded Barbados as the centre of the West Indian trade. From now the West Indies experienced a period of war which lasted for forty years, and the islands, with the exception of Barbados, continually changed hands. Either France and England were attacking Spain

<sup>1</sup> It is a noteworthy fact that during the three centuries that have followed Wolferstone's appointment only three colonials have held similar appointments within the Empire.



or France and Holland were attacking England; then Spain and Holland fought France and England, again England and Holland fought France, and these islands were the scene of much of the strife. In addition to this fighting between nations, the islands and the surrounding seas were the resort of buccaneers, who carried on war on almost as large a scale, the warfare waged by these sea-rovers being conducted for private gain. Yet this played an important part in the building of the British Empire. To-day from our armchairs, with blood grown cold and thin, we may judge their deeds ignoble and wish to repudiate such an action as the raid on Panama for instance. Let us remember, however, that along with royal seamen and merchant seamen there were buccaneers who made the name of the British dreaded on the high seas, and this was a necessary evil if the Empire was ever to be built. It was buccaneers who founded the British colony of Honduras in 1638, and it has remained British ever since. In these peace-loving days those who daily murder the reputation of their fellows at no danger to themselves look with unctuous horror upon the action of those who were men enough at least to risk their all, including their lives.

In 1663 the proprietary rights over Barbados held by the Earl of Carlisle, and under which the island was governed, were abolished and the Crown assumed the nomination of the council, the only alteration in the Constitution being that all laws were thenceforward made subject to confirmation by the King.

Up to 1651, the West Indies, in common with the American colonies, had been doing most of their trade with Holland. This astute nation had monopolized the trade of her own colonies through her State-aided companies whose charters carried the full force of law. Spain, Portugal, and France likewise controlled the commerce between their respective colonies and themselves. The British colonies, rich in the production of tobacco and sugar—commodities largely sought by Europe—were as open to the foreigner as to the Britisher. The Long Parliament in 1651 altered all this by the Navigation Act. The influence of this Act upon British sea power will be dealt with later. It had the effect of making the Empire a single commercial organization, and it finally

Effects of the  
Navigation  
Acts.

ruined the Dutch trade. But it had the same injurious effect upon commerce in the West Indies, as we have seen in the colonies on the mainland, for let it be remembered that London was not the world's emporium in those days, and its consumption of certain commodities was restricted. The Navigation Act of the Long Parliament, and the later ones of Charles II, were premature as far as the colonies and commerce were concerned.

Taxation of  
Barbados.

In 1663 a cause for grievance was created which lasted for 175 years. This was the passing by the Imperial Parliament of a taxing measure of  $4\frac{1}{2}$  per cent upon the produce of the island of Barbados to satisfy claims and defray the expenses of the government of this island. The colonists contended that less than 1 per cent of this was expended upon their government and that a considerable amount of the revenue was devoted to pensions to persons unconnected with the colony. The legislature again protested to the Imperial Government and to the Crown denouncing the injustice of taxation by a parliament in which the taxed had no representation. This was ineffectual, for English statesmen as yet regarded the colonies as of value to the Crown only so long as they were a source of monetary gain or profit to the mother country.

During the war between England and France which commenced in 1756 the West Indies were again the scene of much fighting, and Barbados expended £24,000 in raising her proportion of men in the attacking force against Martinique.

Power of the  
governor.

In 1805 Napoleon dispatched a squadron with 4000 soldiers for the purpose of regaining the French ascendancy in the Archipelago, but although successful in obtaining large sums of money from some of the island colonies the expedition failed in its object. It was due to this threatened invasion that an interesting point in government arose. Upon the intelligence reaching Barbados that the French fleet had sailed for the West Indies the governor declared martial law over the island. The legislature considered this an infringement of the colonial constitution and refused to recognize the governor's authority to supersede the civil law *until the enemy was within sight*. The controversy was only

ended by the Imperial Government insisting upon the full prerogative of the Crown to impose martial law whenever necessary for the safety of the island.

In 1812 another attempt was made by the colonial legislature to have the 4½ per cent tax abolished, but it was not until 1838 that it was at last removed.

By Act of Parliament, 6. Geo. IV, c. 114, 1825, foreign commodities were admitted into British possessions at moderate rates of duty if the countries sending those articles gave similar privilege to British ships. As the United States of America refused reciprocity the West Indian ports were closed against their shipping, upon which the United States retaliated by prohibiting all intercourse with British colonies. This raised an important constitutional question, for these duties levied in the name of His Majesty were to be paid into the local treasury for the uses of the colony, but the customs officers, all of whom were appointed by the Imperial Government, received instructions to retain their own salaries from the revenue. This was denounced by the colonial legislature as illegal. After a long controversy it was agreed, in 1832, that 10 per cent should be deducted to defray the expense of collecting the tax. And yet another instance of the tactless interference on the part of the Imperial Government may be recorded. By a colonial Act of 1773 a tonnage duty of 2s. 6d. was imposed, but small vessels belonging to colonists were only to pay on three voyages a year; however, by an Act of the Imperial Parliament passed in 1832, this exemption was abolished. Again the colonial legislature protested, and went so far as to deny the right of Parliament to tax colonies which had representative institutions. Lord Stanley in 1833 ruled that this right existed, although its exercise was a matter of expediency.

The colonies were now becoming of sufficient monetary importance to the mother country to attract the closer and somewhat irritating attention of her statesmen to what should have been considered purely local affairs, and the fall of Lord Melbourne's Ministry was directly attributable to such undue interference in Jamaica. The planters of this island, who like those of the other colonies had sullenly accepted the abolition of slavery, were further irritated at the passage of

Taxation  
by the  
Imperial  
Parliament.

Interference  
of the  
Imperial  
Ministry  
with  
Jamaica.

an Act of Parliament intended to remedy certain grave abuses in the management of the prisons of the island. The colonial legislature denounced this Act as a violation of its rights, and determined to desist from its legislative functions. The governor thereupon dissolved the assembly, but again there was a deadlock for the new parliament reaffirmed the decision of its predecessor. The Imperial Ministry asked Parliament in 1839 for authority to suspend the Constitution of the colony for a period of five years, but although the Bill for this purpose was introduced, the Ministry found that they were not strong enough to carry it and they therefore resigned. As Sir Robert Peel, who was called to form a Ministry, would only do so upon conditions unacceptable to Her Majesty, the Whig Ministry returned to office, but they did not venture to proceed with their Jamaica Bill.

Results of the  
Abolition of  
Slavery.

The product upon which the prosperity of the West Indian colonies had been built was, under altered conditions, the cause of their commercial decay. The economic cultivation of the staple crop, sugar cane, called for plentiful and cheap labour. This was introduced in the form of slaves from Africa. As this supply increased and became more certain so did the industry expand; wealth was created and the importance of the islands grew. When slave trading was suppressed in 1806, in the island of Barbados alone, there were 60,000 slaves. From the time of emancipation the Negroes multiplied rapidly, and in 1844 we find that Barbados had 90,000 Negroes as against 32,000 Whites and half-castes, and this same island in 1908 had a population of 196,287 of whom less than 20,000 were pure Whites. It may be said that it is vain to speculate upon what would now be the condition of these colonies had the Act of Abolition provided for the compulsory repatriation of the Negroes to Africa. But it can with safety be stated that such a measure would have had the effect of preventing the growth (in these colonies) of a mixed race. In the seventeenth and eighteenth centuries drastic legislative measures were attempted to prevent the intercourse between Europeans and Negroes, but without success. In the undesirable condition of slaves the Negroes were responsible for the prosperity of these colonies, but as free and independent subjects they became indolent, and were



quick to add to their own vices many of the worse ones of the Europeans. Like many other well-intentioned Acts of the Imperial Parliament the Abolition Act did not go far enough; its framers looked to the immediate effect upon the individual and failed to see the ultimate effect upon posterity. The lessons that certain results due to omissions in that Act convey to those concerned with the government of Empire are of the greatest moment, for there exist to-day problems bearing very close resemblance to those which owed their existence to the results of the cheap imported labour of the American and West Indian colonies. But the discussion of these will be dealt with in the proper place.

While the colonization of America by British statesmen and more particularly by British companies was slowly taking effect, other parts of the world were attracting the attention of Englishmen. The tendency of the sixteenth and seventeenth centuries was towards public monopolies, and England in this respect appears to have adopted the policy followed for many years both by Holland and France, although in the case of Holland companies of trading corporations for colonization purposes were to all intents and purposes governmental bodies. During Elizabeth's reign there were numerous corporations created, such as the African, the Levant and the Russian companies, but perhaps the most important was the original East India Company. This company, destined to play such a conspicuous part in the expansion of the British Empire, received its charter on the last day of 1600. It constituted the adventurers a body politic and corporate, by the name of "The Governor and Company of Merchants of London, trading to the East Indies," and vested them with the usual privileges and powers. The charter provided that the management of the company's affairs should be in the hands of a committee of twenty-four persons and a chairman to be chosen annually. This company was chartered two years before the Dutch India Company. In May, 1601, the first fleet of five ships belonging to the company sailed for India. But we find that at this time the British were slower than the Dutch in the development of their power in the East. The latter nation rapidly rose to first place in the Eastern trade whilst the British were destined to be for a long period

their rivals before they succeeded in becoming their superiors. At this time these two nations were upon friendly terms, together opposing the common enemy, Spain. At one time the advisability of federating the English and Dutch companies was seriously discussed, and a formal alliance (under which the English company was to receive one-third of the profits from the Spice Islands) was made in 1619, but this was never put into effect.

The company's first fleet under Lancaster arrived at Acheen, in Sumatra, in January, 1602. From here they sailed to Java where they installed their agents. This step constituted the first beginning of the company's factories. The company's first voyage was both financially and politically a great success and smoothed the way for their future operations. The privileges which were granted them appear to have caused the greatest irritation amongst merchants, and attempts were made to infringe the company's rights though without success. The original charter was for a period of fifteen years. Upon the expiration of this term James I. renewed it "for ever". Up to 1611 the company had confined itself to trading with the islands of Java, Sumatra, and Amboyna. Several attempts had been made to open up trade with the mainland, but these had been frustrated at Aden and Mocha by the Turks and by the Portuguese on the coast of India. In 1611, however, a fleet of the company's ships under Captain Best was attacked off Surat by a Portuguese fleet, but the latter was defeated and Captain Best was favourably received by the Indians. Whilst establishing a foothold for his company upon the mainland, this commander fought five different engagements with the Portuguese and gained a complete victory over superior forces. Early in 1612, the Mogul Emperor issued a firman granting the company permission to trade in his dominions, and under this authority they established factories at Ahmedabad, Cambaya, Gogo, and Surat. It was stipulated, however, that in payment for the defence of these factories the company should pay a duty of  $3\frac{1}{2}$  per cent.

The Portuguese, by open hostility and by intrigues, succeeded in a great measure in thwarting the policy of the English, and the latter in retaliation had no scruple

in attacking their ships whenever and wherever encountered.

The first official representative of the Crown to set foot in India was Sir Thomas Roe, who was sent by James I as ambassador to Jehangire who then occupied the Delhi throne. Sir Thomas Roe landed at Surat in September, 1615. He was received by the Mogul Emperor with unusual honours. Sir Thomas succeeded in obtaining redress of some of the grievances of which the English merchants complained, and concluded, though with difficulty, a sort of treaty, in which liberty was promised them of trading and establishing factories in any part of the Mogul dominions, Surat, Bengal, and Seinde being particularly named.<sup>1</sup>

Up to the year 1618, the British had only to contend with the open hostility of the Portuguese, although serious opposition had been met with through the jealousy of the Dutch. In this year, however, this opposition developed into open hostility. They attacked the British in the Moluccas and seized two of their ships. The British were now faced with the open hostility of two powerful sea-powers. At this time, let it be remembered, England's sea-power was in its infancy. According to Hume the total number of seamen engaged in the British Merchant Service amounted to ten thousand, whilst the Dutch possessed three times as much shipping.<sup>2</sup> This action of the Dutch drove the British to develop their trade with the mainland of India, where they were more than a match for the Portuguese.

In 1641 a fort was built and trading stations opened at Fort St. George. This is where Madras now stands. The company secured its first foothold in Bengal in the year 1652. This took the form of a concession for a settlement at Hugli, and a licence for an unlimited trade, without payment of customs. Two years later the company took another step forward in the direction of that gradual strengthening of the British foothold on the continent. This was the elevation of Fort St. George into a presidency, thus concentrating the business of the Coromandel coast which had up to now been worked from the distant settlement at Bantam.

<sup>1</sup> Bruce, I. 171 ; Mills, I. 32.

<sup>2</sup> Hume.

The war between England and Holland was seriously injurious to the company's interests in India, for in 1654 a Dutch squadron of eight ships appeared off Swally and stopped all British trade on the coast of India. This was solely in consequence of the superior naval power of the Dutch in those seas.

In 1661 a new and more ample charter was granted the company by Charles II, by which the company was vested with the power to make peace and war with any prince and people, not being Christian, and to seize unlicensed persons within their limits and send them to England.<sup>1</sup> The right of administering justice was also conferred upon the directors and their servants; to all intents and purposes the company was given all the powers of government.

French  
rivalry in  
India.

While the ground was being cleared in this continent for British Imperialism by a chartered company and its servants, the rival power of France was likewise making secure a foothold from which it intended to extend its power so as to embrace the whole of India. As far back as 1503 France had endeavoured to open up trade with the Orient, but for one cause or another had failed; between 1604 and 1664 several companies had been chartered by France and each after a short life terminated. But the French Minister Colbert, a man before his time, undaunted by the inability of his predecessors to grapple successfully with the difficulties, founded the East India Company of France. The charter was given for fifty years. But Colbert overlooked the fact that the one characteristic so necessary in successful colonization, settlement or government of over-sea possessions—the force of vitality—was constitutionally lacking, and this no state could provide at command. In 1668 the French company succeeded in expelling the Dutch from Surat, but they were in turn driven out four years later. In 1679 they retired to Pondicherry on the coast of Coromandel. Here they made themselves secure, and this was where ultimately their nation was to have its main centre of influence in the Orient.<sup>2</sup> From this date down to 1745 the French company expanded its power over the Karnátik. In this year war broke out

<sup>1</sup> Bruce.

<sup>2</sup> Raynal, II. 339-42.



between England and France. The French admiral, La Bourdonnais, attacked and captured Madras, which at the time was only garrisoned by 300 British. At this time the French governor of Pondicherry was Dupleix, a man since renowned for his tenacity of purpose, skill, and finesse. He at once occupied Madras and sent the British garrison in captivity to Pondicherry. The natives now awakened to the fact that the Europeans had come to India with the intention of staying and not as a subject people. The Nawab of the Karnatik thereupon demanded Dupleix to surrender to him Madras, and upon the latter refusing he marched against Madras with 9000 troops. These were defeated by Dupleix at the head of 400 soldiers. It now appeared as if there was nothing to stay the advancing tide of French supremacy in this part of India, for Admiral Boscawen's fleet was repulsed in its five weeks' investment of Pondicherry. However, by the treaty of Aix-la-Chapelle, Madras was restored to England in exchange for Cape Breton.

The Imperial Government now began to display interest in the doings of the company in India, but of a nature which hampered its progress. In 1767 the Government secured from the company an annual payment of £400,000, as rental for the East Indian customs, and in 1774 it secured an obligatory advance of £1,000,000 at the low rate of 3 per cent.<sup>1</sup> By these repeated and compulsory financial accommodations the enterprise and progress of the company directly benefited the State.

The peace of Aix-la-Chapelle found the prestige of the French greater, in India, than that of the British. The latter had been submissive to native rulers; they had fought badly, had been defeated, and disgraced as prisoners. Dupleix had mastered the British and the natives alike. He had fought with trained and seasoned troops. But for a European nation to gain the imperial rule of India it was necessary to control the highway to that continent. Now it was that both the British and the French companies threw themselves into native politics as a means of securing the supremacy of India, and from 1749 to 1761 native wars were waged with

Relations  
between the  
company and  
the Govern-  
ment.

Defeat of the  
French.

<sup>1</sup> Mills, I. 115.

British and French troops ranged against each other. It is outside the scope of this work to describe in detail how Clive rose to power, how Dupleix, Bussy and Lally were defeated. It is sufficient to note that on 17 January, 1761, Pondicherry was surrendered to Coote and a month later no spot of Indian soil remained to the French.

Establish-  
ment of the  
British in  
India.

But by the Peace of Paris in 1763 the actual French trading settlements were restored on condition that no troops should be kept, no forts erected in Bengal and no relations of any kind entered into with the native rulers. It was this peace which determined the supremacy in India, and to Lord Clive, more than to any other man, the result was due. By it the East India Company found itself transformed from a mercantile association into the owner and sovereign power of an empire. This necessarily called for a radical change in administration. In the early days of the company rule was very similar to that of the Dutch and French companies, by an army of officials. Then during the period covering the military operations the government assumed more and more a military character, evolving into military despotism, under which system Clive obtained the obedience of native princes and ruled in their name. The first step taken for the institution of civil government was the partition of India into four presidencies. This was accomplished in 1771. Each presidency was independent of the other and ruled over by a governor invested with full discretion, being responsible only to the directorate of the company. Two years later Lord North's Regulating Act (13 Geo. III, c. 16) was passed. It was entitled "An Act for establishing certain regulations for the better management of the affairs of the East India Company". It created the office of Governor-General, defined the qualifications and terms of directors and provided for the appointment of a supreme council of four members to assist the Governor-General. This council had the sole right of declaring war and negotiating with the native princes, differences of opinion in the council being decided by a majority. A judiciary consisting of a high court, the judges of which were chosen by the Crown, was also created. Bengal was made the chief seat of the company's authority, the governor of Bengal being Governor-

General over all the British settlements in India. Under this Act the King reserved unto himself the veto power over all resolutions passed by the organization. In 1774 Warren Hastings was appointed first Governor-General. For a period of eleven years he held this important and despotic office, and although at times seriously hampered by the members of the council in his great policy of subjugation, yet he succeeded in completely establishing the supremacy of the British in India. The material he had to mould into subject races and the conditions of the times called for methods which under the altered conditions of to-day would be judged as harsh.

For the purpose of this work it will be necessary to return to British rule in India, as revised by Pitt's Act of 1784, the main provisions of which remain in force to the present day.

We will now make a brief survey of those British pos-South Africa. sessions which occupy an important strategic position in regard to the mother country and her Eastern empire. The first fleet of vessels fitted out by the English East India Company for India in 1601 put in at Table Bay and remained there for seven weeks, but they neglected to take formal possession of this important part of South Africa. However, Great Britain has a prior claim to that set up by another power to this portion of the sub-continent, for in 1620 two English captains formally took possession of the Cape in the name of James I.<sup>1</sup>

<sup>1</sup> Their proclamation was to the effect that Andrew Shillinge and Humphrey Fitzherbert, chief commanders of the fleets, after a consultation holden on shore on 3 July, 1620, in the Bay of Saldanha (the name by which Table Bay was known to English navigators), in the name of the High and Mighty Prince James, took possession of the coast and the whole continent near adjoining, "so far to be extended as that at present no Christian king or potentate have any fort or garrison within the limits aforesaid; and," they added, "our Sovereign Lord the King to be thereunto entitled Lord or Prince, or by any other name or title whatsoever that shall seem best unto his gracious wisdom".

The reasons for the formal occupation of this territory assigned by these English captains are contained in a document preserved in the archives of the East India Company. Among other things they set forth that on arrival in the Bay they found nine ships of the States whose officers declared plainly that the States intended to make a plantation in the Cape of Good Hope in the next year. They proceed to say: "This

Early Dutch  
settlement.

The enterprising directors of the Dutch East India Company early realized the strategic value of the Cape of Good Hope in relation to their East Indian possessions, and therefore in 1652 they erected a fort and laid out the adjoining lands for victualling purposes. In 1657 a small number of soldiers and sailors with their families were settled on farms surrounding the settlement. In 1688 the first party of French Huguenots arrived in the colony. At first all extension of territory, beyond the mere wants of the refreshment station, had met with opposition from the East India Company. But in 1684 the Dutch governor, Simon van der Stell, parcelled out farms to the French refugees. After this step of apportioning farms had once been taken there was no further affectation of a desire on the part of the Dutch authorities that native claims to land should be respected. Possession was taken from time to time of the lands in the north and the east, the authorities sometimes preceding the inhabitants, but more frequently the colonists preceding the authorities. The slow progress made in the settlement of this territory, favoured by Nature as it undoubtedly is, is solely due to the early form of government it was subject to. According to Watermeyer, the Dutch colonial system as exemplified at the Cape of Good Hope, or rather the system of the Dutch East India Company (for the nation should not wholly suffer under the condemnation justly incurred by a trading association that sought only pecuniary profit) was almost without one redeeming feature and was a dishonour to the national name of the Netherlands. In all things political it was purely despotic; in all things commercial it was purely monopolist. The Dutch East India Company cared nought for the progress of the colony—provided only that they had a refreshment station for their richly-laden fleets, and that the English, French, Danes and Portuguese had not—and whatever tended to infringe in the slightest degree on their monopoly was visited with the severest penalties.<sup>1</sup>

The effect of this system of tyrannical rule was inevitable.

great country, if it were well discovered, would be kept in subjection with a few men and little charge”.

<sup>1</sup> “Writings of E. B. Watermeyer,” p. 54.



It drove the settlers to desperation. Their petition setting forth their grievances was intercepted by the governor's orders. They therefore fled from oppression, and thus began those treks which spread the Boer over South Africa; nearly a century and a half before the great trek of 1837 small treks had almost annually occurred. Politics being forbidden, the people adopted religion as an essential feature of their conduct, a characteristic which still marks their descendants. By the year 1795 the dissatisfaction had spread throughout the scattered settlements. The burghers of Swellendam took the law into their own hands, expelled the landdrost and proclaimed the district a free republic. A national assembly was constituted of which one, Hermanus Steyn, was the president. Events were tending towards the creation of a republican nation, but the revolutions of Europe changed the future fortunes of this colony and saved it from being hurried into premature republicanism.

In June, 1795, Admiral Elphinstone and General Craig arrived at the Cape with eight ships and 4000 men. After a very feeble resistance the colony was surrendered to the British. General Craig was installed as governor and the oath of allegiance to the King of Great Britain was demanded of all who continued to hold office. The sole question, at the date of the arrival of the British fleet, was whether the colony should be surrendered to the leadership of those who had raised the standard of rebellion, or should pass into the hands of a European power by whom, at the declaration of peace, it might be restored.<sup>1</sup> The domination of the East India Company at the Cape of Good Hope fell with the British occupation. It had held despotic sway here for 143 years and had seriously retarded the colonization and progress of one of the fairest portions of the globe.

The colony had been seized by the British Government under the plea of keeping it out of the possession of the French and holding it in trust for the Prince of Orange until he should be restored as stadtholder of the Netherlands. But in 1796 the Government of the day openly declared their intention to retain it as a crown colony and as a station of great value commanding the highway to India.

<sup>1</sup> E. B. Watermeyer.

By the Peace of Amiens, 27 March, 1802, the sixth article provided that the Cape of Good Hope remains in full sovereignty to the Batavian Republic as it was before the war, and on 30 December, General Dundas issued a proclamation absolving the inhabitants of the colony from the oath of allegiance to the King of England on or after 1 January, 1803.

In 1806, as one of the results of war, France and Holland being united against Great Britain, the Cape was again seized by a British force. In 1814, at the close of the war, Great Britain surrendered to Holland all colonies seized during the war with the exception of the Cape and what is now British Guiana, in consideration for the retention of which Great Britain paid to Holland the sum of £6,000,000 sterling. There is no portion of the Empire held by more valid title than that of the Cape, which is held by proclamation, conquest, treaty, and purchase.

British  
colonization  
of the Cape.

The population of the colony proper then numbered barely 10,000 Whites and some 80,000 coloured, being a heterogeneous mixture of many distinct tribes. England now set herself to colonize her new possession, and applied to this undertaking her customary methods, seconded by her old-time energy and zeal. In 1820 Parliament voted £50,000 as a transportation fund, 5,000 British emigrants were sent out, and each person was allotted 100 acres in fee simple. These settlers were placed in the Eastern Province. From now we discover a similar aspect in South Africa to that of Canada. The British, grouped together in one section, attaining a higher degree of success, were far more contented than their neighbours of foreign extraction. The Western Province, occupied by the descendants of the original settlers, although it received in time a considerable admixture of British, has remained inferior to its younger competitor in progress and enterprise. The British Government gave every encouragement to immigration, but with little success. By this time Canada, Australia, and New Zealand, free from the intestine troubles so peculiar to South Africa, were attracting any surplus population the mother country could spare. In 1838 a German bureau sent out 4000 Germans, who added yet another element to the population. Then after the Crimean war many soldiers from the foreign contingents

settled in the Cape. At this time, too, communication with the outer world was slow, and current literature was hardly obtainable. This influenced the course of domestic events and militated against increased prosperity. The antipathy between the British and the Dutch, due mostly to ignorance of each other, was in the earlier days intense. This mutual ill-will has fortunately almost disappeared. At the very outset the Boers, tenacious of their religious beliefs, language, ancient customs, local institutions, and national proclivities, disliked the institution of constitutional government, and were inclined to look with suspicion upon every administrative act emanating from the Government. It must in fairness to the colonists of both races be admitted that the Imperial Government, as it has often done since, considered colonial offices as lucrative positions for its lesser adherents, and much of the friction and discontent found at some time or another in all of the colonies has been due to such appointments.

As the British extended the influence of law and order by the appointment of magistrates and other officials, the Boers withdrew farther and farther into the interior. This brought them into contact with the Kaffirs, a sturdy, fierce, warlike, and indomitable people, who about this time appear to have been migrating slowly in hordes from the north. The Boers having to fight these people for self-preservation, had, through experiencing their savage cruelty, learned to hate them and to treat them with the utmost rigour. The British Government professed the principles of justice to all races alike and tried in vain to propagate law and order to prevent the more intolerable outrages committed for the purpose of revenge. The Boers looked upon the extermination of the Kaffirs as a sacred duty, and resented, as irreligious and unwarrantable interference, laws and instructions which forbade this.

The abolition of slavery, made final in 1834, resulted in thousands of Boers escaping from what they considered the land of oppression. They organized themselves into several parties and trekked beyond the Orange River, and formed those republics which at a later date it required the might of the Empire to subdue.

Since the occupation by the British in 1806 there had

Hostility  
between  
Boers and  
Kaffirs.

Abolition of  
slavery.

Government  
of Cape  
Colony.

been an entire absence of political rights or privileges; the colony had been governed by military rule. This had been prolonged from year to year by the continual pressure of the Kaffir hordes against the colonial frontiers and their numerous incursions resulting in hostilities of a lesser or greater degree, but with the termination of the native troubles of 1835, the military rule which had existed for thirty years was replaced by a civil code. A civil governor was appointed, assisted by a legislative council for the Cape Colony. This was to consist of not less than ten or more than twelve members, exclusive of the governor. The military officer next in rank to the governor, the secretary to government, the treasurer-general, the auditor-general and the attorney-general, were to have seats by virtue of their offices. The other members were to be selected by the governor from the most respectable inhabitants, and were to hold office during residence and good behaviour, unless disallowed by the Secretary of State within two years of their nomination. The governor and six members were to form a quorum. Meetings could only be summoned by the governor, and in them he was to preside. He was to have a vote the same as other members and also a casting vote when the council was equally divided. Decisions were to be valid on a simple majority of votes. Draft ordinances were to be published in the "Gazette" at least three weeks before being submitted for discussion.

Demand for  
representative  
institutions.

The Letters Patent also provided for an executive council which was to consist of the military officer next in rank to the governor, the secretary to government, the treasurer-general, and the attorney-general. The governor was to take the advice of this council in questions of administration, but he was not obliged to follow it if he saw good reason to act differently. But this constitution did not satisfy the colonists. They petitioned the Imperial Government for a more representative form of local government, for, as they set forth, they were entirely unrepresented either in the imperial or in the colonial chamber. We see in this the same grievance that was suffered and complained of by the American and West Indian colonists. It was also held that one of the chief obstacles to growth, expansion, and progress in this colony had been the absence of political rights and privileges. It



was not, however, until 1850 that their request was acceded to. In that year a constitutional convention was called upon instructions received from the Imperial Government. This resulted in Letters Patent being issued, declaring that there should be a parliament consisting of the governor, a legislative council and a House of assembly. Both Chambers were to be elected and constituted in manner to be prescribed in an ordinance which the governor was authorized to frame and enact with the advice of the then existing legislative council subject to confirmation by the Queen in Council. Power was reserved by the Crown to alter or amend the necessary ordinance or ordinances.

The ordinance was passed by the Cape legislature on 3 April, 1852, and is still the fundamental document of the Cape Constitution. But although an elective legislature was granted it was only the shadow of authority, the substance was entirely in the hands of the governor. As a constitution it was in every way inferior to what had been granted over two centuries earlier to the American and West Indian colonies. There was nothing in the law or practice of this constitution which made the colonial Ministers dependent on the legislature for their tenure of office. The order in council, however, by which the constitution ordinance of 1852 was amended and ratified, granted to the colonial legislature the right to amend the constitution ordinance through which its own powers were derived, subject to the ordinary conditions of royal assent and power of disallowance. On 28 November, 1872, the Cape legislature developed, by its own Act, from a representative to a responsible institution, by means of a short Act of ten sections providing that the holders of Ministerial offices might be elected for and sit in either House, notwithstanding the provisions of the constitution ordinance which disqualified any person holding an office of profit under the Crown. This Act necessitated a change in the position of the governor, which was affected by Letters Patent "constituting and appointing" Sir Henry Barkley to be governor and commander-in-chief during the royal pleasure and by royal instructions. We have now briefly traced the growth of this the parent colony of the South African Union to a point at which we can leave it for the time being. Further

consideration of the government of this portion of the Empire will be given in dealing with the units in common.

Natal.

The small colony of Natal was an offshoot from the Cape Colony. It was founded by Lieutenant Farewell and a small part of the British settlers from that colony in 1824. These people occupied the site of the present town of Durban. Their numbers were augmented in 1837. In 1838 the trek Boers occupied the seat of the present capital and proclaimed the territory a republic. But their sojourn here was of short duration, for in 1843 the British, proclaiming this region to be included under their jurisdiction, inaugurated, after some slight hostilities, their own rule. From 1845 to 1848 Natal was governed as a dependency of the Cape Colony. In 1856 it was erected into a separate establishment, under a lieutenant-governor. The royal charter created a legislative council of sixteen members—twelve elective and four official. The latter were the colonial secretary, the treasurer, the attorney-general and the secretary for native affairs. By amendments to the Constitution Act the number of both elective and official members of the legislature has been increased from time to time. In 1893 the legislature passed an Act for granting self-government to the colony. This act differs in many ways from that of the Cape Colony. The members of the Upper Chamber are nominated by the governor in council, and the constitutional head has more extended powers of veto.

First settle-  
ment in  
Australia.

It is interesting and no less instructive to compare the progress made in British colonization in those regions free from the rivalry of other nations, with our colonization of conquered territory containing the remnants of colonies placed therein by the previous owner, or with those colonies formed in the face of active hostility on the part of powers claiming portion of the same territory. Australia and New Zealand were virgin fields for colonization when they were added to the British Empire. Australia, just double the distance from England that the Cape is, and although settled, and with convicts, 138 years later, has a white population to-day of four times that of the whole of South Africa. With the secession of the American colonies there was closed to Great Britain an outlet for 2000 convicts a year who had up

till then been transported to the Carolinas. It was therefore decided by Pitt's Ministry to utilize the antipodes, then but lately visited by Captain Cook. In 1787 some 850 convicts were shipped thither, the voyage occupying eight months, and on their arrival at Botany Bay its unfitness as a settlement was apparent. Sydney Cove was therefore selected as the site for the settlement. The colony was proclaimed by Captain Phillip, the governor, in February 1789.

England was during the first years of Australian colonization in the thick of her most desperate struggle with France for the command of the seas, and the Ministry had little time to attend to the settlement of lands 12,000 miles away. Until 1810 the influx of voluntary settlers was very limited, for the administration was entirely military; the governor was granted full discretion. We, therefore, find that at this period in the life of the settlement the moral and social conditions of the settlers, seized from a life of crime and plunged into an unequal contest with necessity, were deplorable. Again we find the Imperial Government unfortunate in the selection of its governors. In 1808 the severity and tactless conduct of the then governor, Bligh, of "Bounty" mutiny fame, led to the insubordination of the settlement and his own imprisonment by the mutineers for a year. This action on the part of the colonists drew the attention of the Ministry to their many grievances and Lachlan Macquarie was appointed governor. He was the first of a long line of real colonizers.

In 1823 the first constitution was granted the growing colony. This consisted of a council of crown nominees purely to advise the governor: if he disregarded their advice the matter was to be settled at home. The supreme court, until now working after the pattern of English equity courts, was reconstituted to allow of a trial by jury in civil cases; criminal cases were still left in the supreme court to a jury of seven military men. Five years later the Constitution Act was amended, enlarging the nominee council so that it should contain a majority of non-official members, and granting to this legislative body a restricted power of law making, placing under its control the whole of the revenue from customs, and also providing for the exercise in Australia of the whole system of the English Common Law. Now it was

Progress of  
Australia.

that the cry of "no taxation without representation," raised in the early stages of colonial development in America, the West Indies, and South Africa, was heard in Australia; and in 1842 the British Parliament advanced New South Wales one step in the colonial grade. Under this new constitution a single legislative body was created consisting of twelve nominee and twenty-four elected members.<sup>1</sup>

In the meantime exploration parties under men like Cunningham, Hume, Sturt and Mitchell were opening up this, until now unappreciated, asset of the Empire. The nucleus of each of the present federated states was placed; and the constitutional history of these states up to their federation is reflected in that of New South Wales. The negotiations leading up to this federation will be dealt with elsewhere.

Responsible  
government  
granted to the  
Australian  
colonies.

Responsible government was granted to New South Wales in 1856. As the Imperial Government granted one step forward so did the people agitate for still another step. In the agitation for responsible government which began immediately representative government had been given, a committee of the legislative council was appointed to draft a Constitution Bill. The Bill as drafted met with considerable opposition, as it aimed at making the Upper Chamber hereditary, after the example of the House of Lords and provided for a species of colonial peerage. A nominated Chamber was, however, eventually substituted for this. The Bill as amended was passed by the colonial legislature and forwarded to the Secretary of State for the sanction of the Imperial Parliament, and after a somewhat heated discussion in the House of Commons, the measure became law. Up to now New South Wales, South Australia and Western Australia were the only political divisions. Parliament now separated the colonies of Victoria and Tasmania from New South Wales,

<sup>1</sup> This Act also allowed for the establishment of district councils, whose principal duty it would be to collect funds for the maintenance of police and the construction of public works. The first district councillors were to be appointed by the governor and subsequent vacancies were to be filled by election, but failing an election the Government had power to fill the positions with their nominees. These arrangements shortly caused friction between Governor Gipps and his new legislature.



and provision was also made that as soon as certain conditions should arise, its northern portion should also be detached as a separate colony. These became effective in 1859 when Queensland was erected into a separate government. Act 13 and 14 Vict., c. 59, declared that the colonists of New South Wales, Victoria, South Australia and Tasmania might formulate the details of their own respective administrations, and alter the constitutions conferred upon them. In each case was the double-Chamber system adopted, but both New South Wales and South Australia made the Upper Chamber nominated, the Lower elective, whilst Victoria and Tasmania preferred the more democratic system of electing both Chambers. Now that responsible government was adopted by the four colonies, the governors lapsed into merely nominal representatives of the Crown, the colonial Cabinets on the other hand developed in power, while their tenure of office depended upon the good will of both branches of the popular body. Upon the granting of responsible government to these colonies, fifty-eight years after the first settlement was founded, the white population of the whole of Australia was 505,906; during the fifty years under responsible government it has increased to 4,119,481.

Separated from Australia by 1200 miles of sea, New Zealand. New Zealand. land has never had much in common with her sister colonies. The future of New Zealand as a British possession has generally been painted by Englishmen in glowing colours. It is firmly believed by many that it will become the Great Britain of the southern hemisphere. Yet the pleasant and easy conditions under which its inhabitants are reared must militate against success, should these islands ever be invaded by a people bred under less fortunate circumstances.

In 1769 Captain Cook formally annexed New Zealand to the Crown of Great Britain.

The beginning of British authority in New Zealand was Colonization of the islands. in 1814 when the first missionaries commenced their labours in the Bay of Islands. These were Messrs. Hall and Kendall, who were sent from New South Wales. At this time, too, the governor of that colony proclaimed the natives of New Zealand to be under his protection. Mr. Kendall was appointed resident magistrate of the Bay of Islands. The

mission established under the auspices of the Church Missionary Society was augmented by the arrival of several enthusiastic young clergymen who did not confine themselves to teaching the tenets of Christianity but instructed the natives in agriculture and other useful pursuits. The mission settlement was soon followed by a settlement of fishers and traders. But colonization in the strict sense of the term, that is, with official occupation of the land, began in 1839 by the foundation of the New Zealand Company. In this year two expeditions—one from France and the other from England—started from their respective countries for New Zealand. The British ships arrived three days prior to their competitors, thus securing British sovereignty over the islands, and this party of settlers laid the foundations of Wellington. In 1840 the first lieutenant-governor was appointed and with another party of settlers located Auckland. The advancement of the colony was now so rapid that in 1841 the Imperial Government erected it into an independent establishment. The reputation of the aborigines as a warlike and savage people deterred the fearful from immigrating into this new possession of the Empire. This resulted in the early settlers being a brave, independent and hardy people, traits distinguishable in their descendants of to-day. One advantage which this region enjoyed over Australia consisted in the absence of convicts, and this no doubt had something to do with their greater purity in social and political life. Its annals are therefore free from any pollution of morals, social or political.

Form of  
government.

In 1840 a legislative council with an executive was created. Hardly had this constitution been granted before an agitation commenced for responsible government, and, in 1846, as a result, a Bill known as the New Zealand Government Bill was passed through the Imperial Parliament. The absurd provisions of this charter were due to the influence exercised in England at this time by the directors of the New Zealand Company. This measure divided the colony into two provinces, and provided for the establishment of representative institutions. These divisions were named New Ulster and New Munster. Each province was to have a separate executive council and a lieutenant-governor under the governor-in-chief, while a general legislative council was

to make laws for the whole colony. There was also provision for numerous municipal corporations invested with fearful and wonderful powers. The Maories were to be cooped up in arbitrarily formed "aboriginal districts". Sir George Grey, the then governor, proclaimed the Act, and appointed lieutenant-governors of the provinces—beyond this he did not go, but suspended its operation for five years.

The Imperial Government at the same time passed another hasty and ill-conceived Bill to define Maori land-tillers on purely British principles, ignorant of the fact that they were legislating over the heads of the colonists and for savages. It is here that we realize what an important part individuals have played in the moulding of the Empire in several directions. Sir George Grey absolutely refused to enforce this Act at all. The Ministry was wise enough to acknowledge its error—but the colony was not yet under responsible government, although a constitution granting it, in such an absurd form that it was totally unacceptable, was still in force. Sir George Grey set himself to work and practically designed a federal constitution which was passed by the Imperial Parliament in 1852. This Act was drafted for the purpose of reconciling the Crown and the late company's heirs. It resulted in Auckland—the crown-settled district; Wellington, Nelson and New Plymouth, settled by the company; and Otago and Canterbury, settled as church colonies, each receiving an elected council and a superintendent of its own, while all six were controlled as to important and non-local matters by an elective assembly and a nominee council. For two years this system was worked with an executive of permanent crown officials; the Ministers then became responsible to the legislature, holding office only while the assembly supported them.

We have now briefly described the acquisition and the early colonization of those more important units which go to make up the British Empire; Canada, Australia, South Africa and New Zealand have already risen to national rank. The grant of responsible government to the colonies found opponents in England on the ground that it would prove to be but the prelude to complete independence, but colonial political activity found a vent in a safer direction, and that

Just as the colonies have been federated in the past, so may the whole Empire be federated in the future.

was in the grouping together of colonial neighbours into separate federations. Wise statescraft may carry with success this federal process to its logical conclusion, for just as these small self-governing colonies refused to recognize that local autonomy was the termination of their political career, but proceeded still farther and federated themselves into larger geographical units, so it is to be expected that the political activity of the confederacies will actuate them as their component parts were previously actuated. Hence we may see these complete units, together with the scattered portions of the Empire, being gradually brought together as a federated whole. The sovereignty of the seas is ours—the highway to each of our possessions—all that is required in the creation of a federated empire is the co-ordination of the present diversified form of imperial governance.



## CHAPTER VI.

### THE BRITISH CONSTITUTION AND ITS CHARTERS.

THE British Constitution, because of the nature of its growth and its local colour, is more intimately concerned with the government of the United Kingdom than with that of the vast Empire it has collected to itself. The varying parts which go to make up the Empire are, however, governed under this constitution by charters modelled upon it and containing all its principles. These charters are written documents, more or less elastic in their powers. The object of this work necessitates a brief description of the parent constitution and those that have sprung from it, for whilst under the former the Empire was built, it is the daughter charters which act as links in the retention of the component parts. It is our intention to endeavour to show how important it is that the charters should not clash with each other or with the original constitution from which they derive their power, dignity, and authority; to attempt to prove how little is really required of either the main instrument or its numerous auxiliaries to bring them to work in such unison as to effect the maximum efficiency; also to illustrate certain weaknesses which result in waste of governing power and efficiency; and finally, to suggest such amendments to the instruments concerned as may direct the several units in the direction that will lead to a federated empire.

It may with a certain amount of truth be said of the British Constitution that it was made in Germany, for its chief features date back to the communal system of government practised among the Angles and Saxons of that country prior to their invasion of Britain. Tacitus, writing about the end of the first century of the Christian era, gives us some particulars of this system: "They have a king, or

Government  
of the United  
Kingdom  
and of the  
Empire.

Origin of the  
British  
Constitution.

leader, but he is not invested with much power; and when they meet in their assemblies, which they do at certain fixed times, to decide matters in connexion with the government of the district, he lays proposals before the assembled free-men which they accept or reject according to their will". The great council by which an Anglo-Saxon king was guided in all the main acts of government bore the appellation of "Witenagemot," or "The Assembly of Wise Men".

Then later we find that the *Curia Regis*, as established in England by William the Conqueror, did not differ in any material point from the Witenagemot of the Anglo-Saxons.

The statement that the British Constitution is unwritten is only partly correct. As a matter of fact a great number of the essentials have long been reduced to writing. Many of the powers of the Crown, many of the powers of the House of Lords, including the whole of its judicial powers, much of the constitution of the House of Commons, and its entire relation to the electoral body, have long since been defined by Act of Parliament.<sup>1</sup>

And its  
development.

Constitution  
of the House  
of Commons.

The House of Commons became a regular integral part of the English legislature during the reign of Edward I. Before the accession of that prince, knights, citizens, and burgesses had been occasionally summoned to Parliament. Experience had shown that the great councils or parliaments of the Norman and early Plantagenet Kings afforded no adequate security against the abuses of power; and during the stormy and turbulent reign of Henry III various attempts had been made to substitute a new scheme of government in place of the defective system which had hitherto prevailed. There is reason to believe that it was at this time that the practice began of summoning particular barons to Parliament, omitting others of the same rank, and this gradually led to the formation of a separate House of Peers. It was during the same reign that the great innovation of introducing knights, citizens, and burgesses into Parliament was first tried on an extensive scale, but the plan was not matured, nor brought to a permanent system till the time of his son, Edward I, who reigned from 1272 to 1307. In the beginning of Edward's

<sup>1</sup> Mayne, "Popular Government," p. 125.

reign we meet with great councils or parliaments, assembled for the dispatch of national affairs, in the form used by his predecessors. We have next irregular convocations from counties, cities or boroughs of representatives chosen by these several communities, acting in co-operation with that portion of the baronage which was convened for legislative purposes. But after various experiments and occasional recurrence to ancient usage, showing the unsettled state of our legislature, we find, before the death of Edward, the Parliament composed of Lords and Commoners as at present. From this time the Commons by various concessions, grudgingly given, slowly but surely acquired the weight and authority they now possess; and from the time of Edward I they may be considered an essential part of the legislature. If they were ever omitted afterwards it was on rare occasions, and gradually it became a fundamental maxim of the Constitution that no statute was valid to which they had not given their assent.

The transition from our ancient to our modern Parliament occupies, in the history of England, the space between the concession of Magna Charta and the death of Edward I. It was during this period that separate grants of money from cities, boroughs, and other communities fell into disuse; and that one supreme government for purposes of taxation was extended over the whole kingdom, with the exception of the counties palatine of Chester and Durham. It was during the same period that the ancient Norman parliament disappeared, and while the House of Lords seemed to fill its place, another House of Parliament rose into view which was destined at a future period to become the chief instrument in the government of Empire.

The Parliaments under Edward I differed considerably in their composition. We find Parliaments composed solely of the lords spiritual and temporal, to whom writs of summons were issued in the name of the King. The persons to whom these special writs were addressed varied exceedingly in different Parliaments, and though particular omissions can be explained, the variations are greater than can be accounted for. On one occasion the writs of summons were confined to the Archbishop of Canterbury and four other bishops, with four earls and four barons; and yet the instrument is docketed "de <sup>Parliament in Edward I's reign.</sup>

Parlemento tenendo". In the same reign we find a Parliament composed of the temporal lords only. Seven earls, seventy-five barons, nine milites, and four of the judges, were summoned to this assembly, but none of the clergy. This omission arose out of a dispute with the clergy, who had refused in two successive Parliaments, on pretence of a papal bull, to contribute to the King's necessities. As a punishment for their conduct he seized their lands, declared their persons out of his protection, and gave public notice, in the courts of law, that no redress should be afforded them for any injuries they might sustain, while every complaint against them should be listened to. By this treatment their spirit was broken and they were glad to compound for protection. In the following Parliament, however, they were able to retaliate. Taking advantage of the difficulties in which the King was involved by his wars with France and Scotland, they coalesced with the temporal lords, and extorted from him the *Confirmatio Chartarum*. Archbishop Winchelsea, their leader on both occasions, is, of all churchmen after Langton, the one to whom the liberties of his country are most indebted.

We also find in this reign Parliaments composed of lords spiritual and temporal, with knights of the shire chosen by their respective counties. And we find one Parliament composed of lords spiritual and temporal, and knights of the shire, with citizens and burgesses from particular cities and boroughs, to whom special writs of summons were issued. This Parliament met at Shrewsbury in 1283, and is the second in the reign of Edward to which citizens and burgesses were called.

We also find Parliaments like those of the present reign, composed of Lords and Commons, the latter chosen in their respective counties by the freeholders, citizens and burgesses, in pursuance of writs to that effect addressed to the sheriffs.

In one particular instance we have the archbishops, bishops, abbots, and priors summoned to appear before the King and Council at Westminster, in order to grant aid for knighting Edward Prince of Wales, not by particular writs sent to them individually, but, like the Commons, by the general writs addressed to the sheriffs.

The English Constitution during the reign of Edward I



was so loosely framed that we find citizens and burgesses convoked for making ordinances as well as for imposing taxation, without the presence either of the lords or of the knights of the shire. A Parliament having been summoned to meet at Bury on 9 November, 1296, writs were issued on 24 September to twenty-four cities and boroughs, directing them to elect and send to the King, at Bury, four citizens from London, and two citizens or burgesses from each of the other places. The business transacted related entirely to trade and municipal privileges. From this it would appear to have been thought unnecessary to have any advice concerning it except from the cities and towns. In a like manner on another occasion we find the King attempting to increase the customs in his seaports by means of his cities and boroughs, without the concurrence of the lords and knights of the shire.

Estates of the realm not always convoked together.

It is not only in the diversities of the classes of persons summoned to Parliament that we find proofs of the unsettled state of our constitution at this period. We find variation as extraordinary in the numbers summoned at different times from the same communities. The knights from each county were sometimes four, sometimes three, but in general two. The citizens and burgesses from each city and borough were sometimes four, sometimes three, sometimes two, sometimes only one, and sometimes they were permitted to send one or two as they pleased.

Unsettled state of the Constitution.

A still more striking illustration of the irregular forms of the legislature at this period is in the existence of two separate Houses of Commons sitting in different places at the same time, and communicating their resolutions to a third assembly of barons at a distance from both.

In January 1283, the knights, citizens, and burgesses from the counties south of Trent were convoked at Northampton and those from the north of Trent at York, in presence of commissioners from the King, severally deputed to both.

We will cite but one other instance of the numerous irregularities which occurred in the evolution of our constitution. After the dissolution of a Parliament held in London in 1299, instead of proceeding to a new election, the same knights, citizens, and burgesses were summoned to another

Parliament at Lincoln in January 1300, unless any of them happened to be dead or disabled, in which case others were to be chosen in their place.

In all these changes and innovations the King and his ordinary council, from their positions in the State, were the prime movers, so as, apparently, to possess the right of altering and remodelling the Constitution at their pleasure. But the necessity in which the King was placed of resorting to such expedients shows the limited, though ill-defined, extent of his prerogative. So far from being an absolute prince, we find that in many acts of his executive authority the concurrence of his ordinary council was necessary; for instance there is a record stating certain persons to have been appointed judges in the King's Bench and Common Pleas and others to have been named judges in eyre. It is called an ordinance made by the King and others of his council. The King's ordinary council, composed of certain prelates, barons, and lawyers, was invested in early times with extraordinary powers, and if on the one hand, it had control over the King in many acts of his executive government, so, on the other hand, when Parliament was sitting it often trespassed, or attempted to trespass, on the supreme authority of the State.

The changes in the mode of obtaining aids and supplies for the Crown in the time of Edward were not less remarkable than the alterations in the constitution of Parliament.

Among the feudal incidents recognized by the law of England, were aids due to the King from his feudal vassals, for making his eldest son a knight, and for the marriage of his eldest daughter. About the middle of his reign, Edward claimed the latter, and obtained it from a Parliament composed of his military tenants. Only sixteen years later he required an aid for making his eldest son a knight, but such was the change in that interval in the principles on which his government was administered, that to procure it, he thought it advisable to summon a Parliament, with knights, citizens, and burgesses.

Growth of the  
power of the  
Commons.

Before the accession of Edward, aid or tallages from the cities, boroughs, and royal demesnes had been obtained by judges in eyre, or other commissioners appointed for the purpose, who made the circuit of the kingdom and solicited or

extorted grants from the cities or boroughs individually. This practice was to some extent advantageous to the Crown, where there was any reluctance to comply with its demands or opposition made to its will. It had to contend with each city and borough separately; and in a contest of the strong with the weak, it was sure to gain the upper hand. But the process was slow and ill suited to the exigencies in which the ambitious projects of Edward were continually involving him. To save time, therefore, he convoked his cities and boroughs by their representatives, having full power to act for their respective communities; and by this device he was able to procure in a few days what would otherwise have cost him months to obtain. But in bringing his subjects together he taught them their strength, and sacrificed to his necessities the power of his successors. While insulated the cities and boroughs were accessible to fear or flattery. When united they felt their power and consequence and learned to set the unjust pretensions of the Crown at defiance.

From the death of Edward I to the Revolution of 1688, <sup>Results of the</sup> the power of the Commons slowly developed. Legislative <sup>Revolution.</sup> precedents were created and political maxims were established which went to build up what is to-day the British Constitution. The Revolution of 1688 was responsible for subjecting the power of the Crown to constitutional limitations and restraints for the purpose of bringing it into harmony with the will of Parliament. It was the great epoch which marked the birth of responsible government in England, a system of government which was later extended individually to the greater colonies.

Before 1688 the Monarchs of England ruled by virtue of their prerogative, assisted by Ministers of their own choice. These were naturally the favourites at court and had no necessary connexion with Parliament; although in the case of peers of the realm they were entitled to sit therein. The Sovereign was the originator of his own policy, and was not bound to take advice before deciding upon affairs of State. Moreover he was usually sufficiently conversant with the details of administration to be able to govern independently of the consent of his Ministers. They were only answerable to Parliament for high crimes and misdemeanours, and for acts of

maladministration which were directly attributable to themselves. This method of government gave rise to frequent alterations and struggles between the Crown and Parliament which sometimes could only be decided by an appeal to the sword.<sup>1</sup>

Principles  
of the  
Constitution.

Ever since the reign of Edward I certain fundamental principles of the English Constitution had been established and were adopted as the principles of the British Constitution upon union with Scotland in 1707. These are :—

1. The government of the country by a hereditary sovereign ruling with limited powers and bound to summon and consult a parliament for the whole realm, comprising hereditary peers and elective representatives of the commons.

2. That without the sanction of Parliament no tax of any kind can be imposed, and no law can be made, repealed, or altered.

3. That no man be arbitrarily fined or imprisoned ; that no man's property or liberty be impaired ; and that no man be in any way punished, except after a lawful trial ; and that the regular Common Law mode of trial is by a jury of a man's equals in the eye of the Law.

4. That all subjects, except the actual great peers who sit as such in Parliament, are commoners with equal rights in the eye of the Law.<sup>2</sup>

Further constitutional rules were brought into operation when the House of Tudor acquired the throne. These are :—

1. The division of the High Court of Parliament into two Houses, one called the House of Lords, consisting of the spiritual peers and of the temporal peers. The other called the House of Commons, consisting of the knights of the shires and of the elected citizens and burgesses of the towns that possessed the parliamentary franchise. This division was recognized early in Edward III's reign.

2. That Parliaments ought to be summoned frequently.

3. The right of the Commons to impeach and to bring to trial before the House of Lords Ministers and servants of the Crown.

<sup>1</sup>Todd, "Parliamentary Government in the British Colonies".

<sup>2</sup>These subjects are ably discussed by Sir E. Creasy in "The Rise and Progress of the English Constitution".



4. That no one who has violated the rights of the subject can justify himself in our courts by moving that he acted under the authority of the Crown. Another maxim closely connected with this is that the King can only act through a responsible Minister.<sup>1</sup>

But although these restrictions made the government a limited monarchy, it was not until the passing of the Bill of Rights in December 1688, and finally the Act of Settlement in 1701, that the more important constitutional maxims which firmly established the liberty of the subject were embodied in the Constitution. Foremost among these is the power over the Throne even to changing and determining the line of succession: next in importance being that making the rule by which it was illegal to raise or to keep a standing army within the kingdom in time of peace, unless with consent of Parliament. The Bill of Rights also declared that Parliaments ought to be held frequently, that elections of members of Parliament ought to be free, that there ought to be freedom of speech in Parliament, and that no man should be called in question in any court or place out of Parliament for the part taken by him in the debates or proceedings in Parliament. It declared the subject's right to petition. It ordained that excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. It abolished the power of the Crown to dispense by regal authority with laws or the execution of laws. The Act of Settlement decreed that the judges should not be removable at the regal will, but that addresses for their removal from both Houses of Parliament should be requisite.

We have now briefly traced the imperceptible transfer of supreme authority, dangerous whilst vested in the individual, from the Monarch to the people. Yet what is done by the people's representatives is done in the name of the King. The King cannot impose a policy, either upon his Minister or his Parliament, but he can dismiss his Minister, and he can appeal to the country against the judgment of Parliament.<sup>2</sup> This

<sup>1</sup> Sir E. Creasy, "English Constitution".

<sup>2</sup> George III dismissed the Coalition in 1784, and in 1807 William IV dismissed Lord Melbourne and appealed to the country.—Todd.

then is parliamentary government, a system peculiar to Great Britain and its dependencies. Although in parliamentary institutions developed independently in Sweden and Hungary, the advantages of a system which recognizes the dignity of the Crown and freedom of the subject are acknowledged, yet other countries have been slow in adopting a similar constitution. The chief developments that have taken place in the Constitution since the seventeenth century have been the transference of power from the House of Lords to the House of Commons, or more correctly speaking, the elections to the Commons have been freed from the influence of the Lords; an influence which in many places, previous to the Reform Bill of 1832, was supreme. The present form of Parliament is divided into two Houses of Legislature, the Lords and the Commons, and is constituted in the following manner: The House of Lords consists of peers who hold their seats: (1) by hereditary right; (2) by creation of the Sovereign; (3) by virtue of office—English bishops; (4) by election for life—Irish peers; (5) by election for duration of Parliament—Scottish peers. The number of names on the roll in 1907 was 616. There are besides eleven peeresses of the United Kingdom in their own right, and three Scottish peeresses, and twenty Scottish peers and sixty-seven Irish peers who are not peers of Parliament.

House of  
Lords.

The House of Commons consists of members representing county, borough, and university constituencies in the three divisions of the United Kingdom. Every elector must be of full age and must be registered in the electoral lists. Property qualifications are restricted to counties and to such boroughs as have county privileges. In England they are: The holding of an estate (1) in freehold of the annual value of £2; (2) of lands in life tenure of the annual value of £5; (3) hold on lease of at least sixty years of the annual value of £5 or of at least twenty years of the annual value of £50. Similar but not identical qualifications exist in Scotland and Ireland. Throughout the United Kingdom, in counties, the occupation of a tenement which is rated for the support of the poor, and for which the rates have been paid for the prescribed date, constitutes a qualification, but in English boroughs the occupation franchise is associated with six months' residence and

House of  
Commons.

in Scotch boroughs with twelve months' residence. Every inhabitant occupier who has for twelve months, within the United Kingdom, inhabited a rated dwelling-house for which the rates have been paid is entitled to registration, and lodgers occupying for twelve months the same lodgings of the value of £10 a year, may have a vote. There are, besides, some ancient franchises such as that of the liverymen of the City of London companies, and there are six university constituencies in which graduates on the electoral roll are electors. Aliens and persons who within a year have received parochial poor relief are disqualified for registration.<sup>1</sup> All elections for members of Parliament must be by secret vote by ballot, an Act being passed annually to this effect.

No one under twenty-one years of age can be a member of Parliament. All clergymen of the Church of England, ministers of the Church of Scotland, and Roman Catholic clergymen are disqualified from sitting as members. All government contractors, and all sheriffs and returning officers for the localities for which they act, are disqualified both from voting and from sitting as members. No English or Scottish peer can be elected to the House of Commons, but non-representative Irish peers are eligible.

THE CABINET.—The Cabinet (selected members of the Ministry administration) consists of a body of men taken from both Houses of Parliament to control and regulate the executive functions of government. Each member holds an office and is the Ministerial head of a department of government. The Cabinet is responsible to Parliament for its acts, and for it to exist it must possess a majority in the House of Commons as supporters. But the Cabinet is not known to the law and never has been. It is still called the Ministry of the Sovereign. Each of the Ministers who has a department of State under his control appoints the permanent officers, as vacancies occur, and is generally subject to the control of Parliament.

The Prime Minister is generally the First Lord of the Treasury, but he may hold any other office of Cabinet rank that he prefers. The Lord Chancellor, the Lord-Lieutenant of Ireland, and the Lord President of the Council are invari-

Immense  
powers of the  
Cabinet.

<sup>1</sup> "Statesmen's Year Book."

ably selected from, or raised to, the House of Lords. The Chancellor of the Exchequer and the Home Secretary are always members of the Commons. The Cabinet (the inner circle of the Ministry) which has gradually assumed the power of the Crown, has far-reaching and extensive authority, it has the power to make war, and negotiate and conclude treaties of peace, but in making war it is always necessary to take Parliament into its confidence as early as possible. The responsible Government have also taken over all the power of the Crown in connexion with the Army and Navy, and make the appointment to the supreme command of these forces.

The Lord-Lieutenant of Ireland is not always a Cabinet Minister, but when he is not the Chief Secretary for Ireland invariably is; and being party men, their offices are vacated with a change of Ministry.

The Viceroy of India and all colonial governors are appointed by the Government of the day as vacancies arise, for a fixed term of years; these offices are therefore unaffected by changes of Ministry. In the same way all ambassadors and representatives of Great Britain to foreign nations are appointed by the Government in the name of the Sovereign, and everything that is done by the diplomatic agents abroad simply carries out the will of the Cabinet though done ostensibly in the name of the Crown.

The offices which go to make up the Cabinet and the Administration, and which combined are known as the Ministry or the Government, are:—

Cabinet and  
greater offices  
in the  
Government.

1. The First Lord of the Treasury (Prime Minister).
2. Lord President of the Council.
3. Lord High Chancellor (is also Keeper of the Great Seal).
4. Lord Privy Seal.
5. Secretary of State for Foreign Affairs.
6. Secretary of State for India.
7. Secretary of State for the Home Department.
8. Chancellor of the Exchequer.
9. Secretary of State for the Colonies.
10. Secretary of State for War.
11. First Lord of the Admiralty.



12. Chief Secretary to the Lord Lieutenant of Ireland.
13. President of the Board of Trade.
14. President of the Local Government Board.
15. President of the Board of Education.
16. Secretary for Scotland.
17. President of the Board of Agriculture and Fisheries.
18. Postmaster-General.
19. Chancellor of the Duchy of Lancaster.
20. First Commissioner of Works.
21. The Lord-Lieutenant of Ireland.
22. The Attorney-General.
23. The Solicitor-General.
24. The Lord Advocate.
25. Solicitor-General for Scotland.
26. The Attorney-General for Ireland.
27. Solicitor-General for Ireland.

There are other offices under government which are vacated with a change of Cabinet ; for instance certain officers of the household of the Sovereign who have no parliamentary significance, and also the following Ministers :—

The Financial Secretary to the Treasury.

The Patronage Secretary to the Treasury.

Certain Under-Secretaries of State.

And three Junior Lords of the Treasury.

Minor offices  
in the  
Government.

During the debate on American taxation in 1774 Edmund Burke in his great speech delivered on 19 April of that year, said that “every Englishman ought not only to know the principles of the constitution of his country, but also to know the principles of the Constitution of the British Empire as distinguished from the Constitution of Britain”. But although Burke was then speaking of a very limited empire, his words are even more forcible to-day than then. Burke went on to say: “The Parliament of Great Britain sits at the head of her extensive empire in two capacities: one is the local legislature of this island, providing for all things at home immediately, and by no other instrument than the executive power; the other and I think her nobler capacity, is what I call her imperial character, in which, as from the throne of heaven, she superintends all the several inferior

Burke on the  
Constitution.

legislatures, and guides and controls them all, without annihilating any.”<sup>1</sup>

The Constitu-  
tion is not  
only British  
but Imperial.

The constitution which we have briefly sketched is a fountain from which all imperial paramount authority flows. It extends over all the transmarine dominions of the British Crown, not only over the colonies which have representative legislatures, such as the old American colonies, of which Burke was then speaking, but also over those numerous possessions which have been since acquired. The Imperial Parliament is supreme over them all. Concurrently with the development of the British Constitution, since the days of Burke, the charters granted under that constitution to the colonies have also developed into what might be more correctly termed sub-constitutions. This is particularly noticeable in the construction of the Governments of the larger self-governing colonies. In each case the Government of the mother country has been taken as the model, even, where possible, to the titles of the Ministerial heads of government departments. There is, however, this fundamental difference between the Constitution and those sub-constitutions detached from it, that whilst the former is all powerful owing to its elasticity, supreme by reason of its flexibility,<sup>2</sup> its colonial offshoots are more or less rigid and their powers are at all times open to question by the courts of law. In every case these sub-constitutions have been reduced to writing, and only in the case of the Union of South Africa has provision been made for the absolute supremacy of Parliament;<sup>3</sup> yet even here it is open for confusion to arise in the inter-

<sup>1</sup> Sir E. Creasy, “English Constitution”.

<sup>2</sup> “The Crown in its government of each colony, of each Indian province, as of other transmarine crown dominions, must follow and conform to such statutes, if any, as the Imperial Parliament of King, Lords, and Commons has made on the subject, and the governors and other officers, whom the Crown appoints in any part of the Empire, are liable to parliamentary impeachment for misconduct in their office. The case is similar with regard to the supreme and final administration of justice in lawsuits and other judicial matters arising in the colonial and other transmarine courts. It is the settled prerogative of the Crown to receive appeals in all these cases.” See Lord Mansfield’s judgment in *Campbell v. Hall*, Cowper’s “Reports,” 204, and Sir E. Creasy, “Constitutions of the Britannic Empire”.

<sup>3</sup> See Chapter IX.

pretation of the instrument itself. These sub-constitutions have developed from the earlier charters granted either to individuals or to trading companies.

The charters granted by Queen Elizabeth were for the purpose of discovery only, and therefore cannot with accuracy be considered as the genesis of colonial constitutions. The first charter granted by the Crown of England for the purpose of colonization, was that granted by James I to the two Virginia companies, dated 10 April, 1606. This, as has already been described, carried with it such powers of royal delegation as to enable the company to draft constitutions for the local government of their possessions. The tendency under a form of charter, which left it open to the directors of a company to delegate powers of government to their proprietary colonies was for the colonists to become more and more divorced from the mother country. As time went on this was realized by the Crown, and resulted either in the amendment of the charters or their withdrawal from the companies concerned, to be replaced by charters issued directly to the colonies. These amended or new charters directed "That the bye-laws, constitutions, orders and ordinances, pains and penalties there, should be reasonable, and not contrary or repugnant to the laws and statutes of the realm". In those colonies originally settled by the Government, termed by Stokes "provincial establishments,"<sup>1</sup> the governor was always nominated by the Crown, but the governor of a proprietary colony was named by the proprietor subject to the restrictions contained in 7 & 8 William III, c. 22, f. 16.

In the case of Massachusetts Bay, the governor, lieutenant-governor, secretary, officers of the admiralty and officers of the customs, were all appointed by the Crown. And in the other two chartered colonies all the officers, except those of the admiralty and customs, were elected by the colonies.

In 1663 an elaborate constitution was drawn up for the government of Carolina, which in that year was granted under charter by Charles II to Lord Clarendon. This constitution was drawn up by the celebrated statesman Lord Shaftesbury and the philosopher John Locke. It is said to have been

<sup>1</sup> A. Stokes, "British Colonies".

most comprehensive and minute, and it was lauded in Europe as a marvellous specimen of wisdom, but in the colony it was to govern it was found utterly impracticable and useless. Like many other paper constitutions it read well but it would not work.<sup>1</sup>

The attempt to govern by it resulted in confusion and ended in the colonists ruling themselves by an elective assembly under a governor sent out by the proprietors. In 1719 the proprietary Government was abolished and a royal Government established in each of the colonies of North and South Carolina into which the old province was then subdivided.

It is not necessary for the purpose of this work to describe the many charters given to the early American colonies, but it may prove instructive to select those which contain material that may assist us in drawing certain conclusions in a question of such great importance as that before us.

Constitution  
of Rhode  
Island.

The small colony of Rhode Island, the settlement of which has already been briefly described, was given an exceptionally liberal constitution, considering that Charles II was the king who granted it. The rule was vested in a governor, a deputy-governor, ten assistants, afterwards called senators, and two deputies elected by the towns. The law was not to be contrary to the laws of England, but it was added that the laws were to be made with regard to "the constitution of the place and the nature of the people". Another provision of interest, considering the time it was granted, says "no person within the said colony at any time hereafter, shall be anywise molested, punished, disquieted, or called in question, for any difference in opinion in matters of religion. Every person may at all time freely and fully enjoy his own judgment and conscience in matters of religious concernsments."

And of  
Connecticut.

The charter which was granted to the colony of Connecticut was of the most democratic nature. It empowered the colonists to elect their own officers and to make their own laws without any restrictions.

Loss of the  
American  
colonies.

Down to the year 1764 Great Britain, unlike other imperial nations, had wisely refrained from taxing her colonies. Her statesmen had justly refused to impose a tax upon a community that had no voice in the legislature imposing the

<sup>1</sup> Sir Edward Creasy, "English Constitutions".



taxing measures. Unfortunately for the prestige of the Empire, in 1764 Mr. Grenville, who was then Chancellor of the Exchequer, being determined to make the American colonies bear a share of the public burden of the Empire, framed his fatal Stamp Act. Upon its introduction into Parliament early in 1765 George III, in his speech from the throne, told the Lords and Commons of Great Britain that he presented to them the American question as one of "obedience to the laws, and respect for the legislative authority of the kingdom". This Act was carried through both the Houses by large majorities only to be repealed the following year; but the mischief had been done. Townshend, who in the meantime had succeeded Grenville as Chancellor of the Exchequer, repeated the experiment of taxation and endeavoured to coerce the colonists by force; troops were sent out and civil war followed, ending in the secession of our earliest colonies. The United States of America was born, and its constitution was framed upon that drafted by the colonists of Connecticut for their own government, and granted by the Crown in 1662.

With the loss of the thirteen American colonies the Imperial Government awakened to the importance of colonial administration. Until the commencement of the troubles with America there had not even been a separate department for the government of the colonies. The Board of Trade had taken over the functions previously exercised by the old Council for Plantations and the supervision was little more than nominal. In 1768, however, a third Secretary of State was appointed, to whose charge the colonies were entrusted. Upon the loss of the American colonies the office was abolished, but in 1794 it was again created and became an active and important department of the State.

*Institution of  
the Colonial  
Office.*

Constitutional government was established in the older provinces of Canada at the following dates:—

*Growth of  
responsible  
government  
in Canada.*

Nova Scotia, 1758. Lower Canada, 1791.

Prince Edward Island, 1773. Upper Canada, 1791.

New Brunswick, 1784.

Both in Lower and Upper Canada—which were then separate provinces with distinct Governments—political grievances had for several years existed, and these had grown into a threatening aspect, which aimed at the overthrow of the

British Crown and the creation of republican institutions. The insurrection in Canada was, however, promptly suppressed by military power aided by the loyalty of the British section in Upper Canada. This led to the appointment of the Earl of Durham as Governor-General and Lord High Commissioner to investigate the affairs of British North America. Lord Durham drew up an able and ample report, in which he recommended the introduction into the several British North American colonies of the principle of local self-government, thereby rendering the colonial polity, so far as was consistent with the maintenance of the British connexion and of imperial supremacy, "an image and transcript of the British Constitution". This brought forth a novel departure in imperial government. Responsible government was granted to Canada, but in a most perfunctory and unsatisfactory manner. In 1839 Lord John Russell (then Colonial Secretary) instructed the Governor-General of Canada (Mr. Poulett Thomson) to give effect to the principles set forth in Lord Durham's report, and he was further notified in a dispatch of the system under which he was to administer the government of these colonies. No official charter or constitution was considered necessary. The dispatch which conveyed matter of such vital importance to rising colonies simply stated that Her Majesty's Government deprecated any attempt to apply the principle of Ministerial responsibility to a provincial assembly, to acts of the governor which were performed by him in obedience to the royal instructions, or to questions of an imperial nature, as being at variance with the allegiance due to the British Crown. But the application of this principle was approved; and directions were given to change the tenure of office of the heads of public departments in the province, so as to admit of such offices being held by executive councillors, who should possess the confidence of the assembly, and of the removal of such persons from office "as often as any sufficient motives of public policy might suggest the expediency" thereof.<sup>1</sup>

<sup>1</sup> Todd borrows this phrase from Lieutenant-Governor Simcoe's speech from the throne to the provincial parliament of Upper Canada 1792. Todd, "Parliamentary Government in the Colonies," p. 74.

The Governor-General immediately gave effect to these instructions by proclaiming that hereafter the government of Canada should be conducted in harmony with the well-understood wishes of the people, and that the attempt to govern by a minority would no longer be resorted to. In 1841, during the first session of the parliament of the united provinces of Lower and Upper Canada, a demand was made for some explicit information on the subject of this verbal constitution. The Attorney-General assured the assembly that the provincial administration would henceforth be conducted upon the principle popularly known as "responsible government". This statement was considered as being insufficient and inconclusive.<sup>1</sup>

With the object, therefore, of placing the charter upon a constitutional basis, the following resolutions were unanimously adopted, these resolutions constituting, in fact, articles of agreement upon the important questions of responsible government between the executive authority of the Crown and the Canadian people.

(1) "The head of the executive Government of the province being within the limits of his government, the representative of the Sovereign is responsible to the imperial authority alone; but that nevertheless, the management of our local affairs can only be conducted by him, by and with the assistance, counsel, and information of subordinate officers in the province. (2) That in order to preserve, between the different branches of the provincial parliament, that harmony which is essential to the peace, welfare, and good government of the province, the chief advisers of the representative of the Sovereign, constituting a provincial Administration under him, ought to be men possessed of the confidence of the representatives of the people, thus affording a guarantee that the well-understood wishes and interests of the people, which our gracious Sovereign has declared shall be the rule of the provincial Government, will, on all occasions, be faithfully represented and advocated. (3) That the people of this province have, moreover, a right to expect from such provincial Administration the exertion of their best endeavours that the

<sup>1</sup> See Dent's "Canada since the Union".

imperial authority, within its constitutional limits, shall be exercised in the manner most consistent with their well-understood wishes and interests."

These resolutions comprised the first constitution of a responsible nature acknowledged by the Imperial Government. For the first few years the system itself was imperfectly understood, and errors were made on all sides in the application of this hitherto untried system of colonial government to the practical administration of local affairs.<sup>1</sup>

Lord Elgin's  
governorship.

It was due to Lord Elgin's genius in governorship that responsible government developed successfully. He was appointed Governor-General of Canada in 1847, and in his private letters to Earl Grey, then Colonial Secretary, written from Canada and published some years later, some instructive light is shed on what was then a little-understood system of government. He says: "I give to my Ministers all constitutional support, frankly and without reserve, and the benefit of the best advice I can afford them in their difficulties. In return for this I expect that they will, as far as possible, carry out my views for the maintenance of the connexion with Great Britain, and the advancement of the interest of the province." "A governor-general by acting on these views, with tact and firmness, may hope to establish a moral influence in the province, which will go far to compensate for the loss of power consequent on the surrender of patronage to an executive responsible to the local parliament". But "incessant watchfulness and some dexterity are requisite to prevent him from falling on the one side into the *néant* of mock sovereignty, or on the other into the dirt and confusion of local factions".<sup>2</sup> Lord Elgin established a standard in the governorship of self-governing colonies which fortunately for the British Empire has nearly always been maintained. The system of responsible government having successfully developed under the fostering influence of Lord Elgin as Governor-General and under Earl Grey as Colonial Secretary, it was gradually extended into the maritime colonies of British North America. Its working having been jealously watched

<sup>1</sup> See Grey, "Colonial Policy," Vol. I, p. 27.

<sup>2</sup> Walrond's "Letters of Lord Elgin," pp. 40, 41, 125, 126.



by the other colonies of the Empire and its success noted, the system was agitated for by the Australian colonies wherein representative institutions had been established. General authority to effect the changes in the constitutions of the several Australian colonies necessary for the establishment of local self-government therein was conferred by the Imperial Act, 13 & 14 Vict. c. 59. Under this statute, as under the subsequent Acts of the 18 & 19 Vict. cc. 54 and 55, parliamentary institutions were introduced into Australia at the following dates: into Tasmania and Victoria in 1855; into New South Wales and South Australia in 1856; New Zealand received the privilege by special enactment, in 1856; and Queensland, upon its being set apart as a separate colony, in 1860. Western Australia in March 1875 received representative government, though it was not until 1890 that this colony succeeded in obtaining a self-governing constitution. The previous year a Bill granting this had been withdrawn after introduction into the Imperial Parliament, but upon its second introduction into that legislature it was accompanied by a responsible delegation from the colony.

As regards New Zealand, at first a difficulty arose in the granting of full responsibility which was not met with in Canada or Australia, and that was in respect of the indigenous population. It was at first stipulated that questions affecting the Maories should be dealt with directly by the Crown, but this proved impracticable. The question was settled shortly after the Constitution had been granted by the introduction of Maori representatives into both Chambers of the New Zealand Parliament.

This selfsame difficulty in a more aggravated form confronted the imperial authorities in the granting of responsible government to the Cape of Good Hope and Natal. In the case of the former colony the Imperial Government suggested the introduction of "responsible government" in 1869, but it was regarded with disfavour by the colonists; again in 1871 a Bill for the introduction of this system was passed by the House of Assembly but rejected by the Legislative Council; but in the following year the Bill was passed and duly received the royal assent on 28 August, 1872.

Owing to the native population being considerably in

Responsible  
government in  
Australasia.

Difficulty of  
natives in  
New Zealand;

and in South  
Africa.

excess of the Whites, who now assumed the government of the colony, it was deemed necessary to make some departure from those constitutions granted to colonies not so peculiarly situated. The difficulty was overcome by issuing a further commission to the governor in addition to his commission as governor, appointing him to be Her Majesty's High Commissioner for the territories adjacent to the said colony. This commission was issued for the purpose of enabling the governor to act in the name and on behalf of the Queen, and to represent her crown and authority in respect of the native tribes in South Africa.<sup>1</sup>

South African  
constitutions.

The royal instructions which accompanied the short Act authorizing the responsibility of Ministers were expressly drawn to guard against the evils of democratic ascendancy, under the pretext of responsibility. The Cape of Good Hope and also the small colony of Natal, unlike the American and Australian colonies, were allowed in a great measure to originate and develop their own constitutions. These do not rest upon a statute of the Imperial Parliament.

In 1893 the colony of Natal passed through its representative legislature a Bill providing for the establishment of responsible government in the colony. By this Act the Legislative Council abolished itself and established in its own place a Legislative Council nominated by the Governor in Council and a Legislative Assembly elected on the basis of the existing franchise. This Bill was not, as in the case of the constitution ordinance of the Cape Colony of 1852, passed on the authority of special Letters Patent and afterwards amended and ratified by Orders in Council. It was an ordinary law passed by the colonial legislature, previously vested by the Crown with the power for the passing of such a law. A clause, however, provided that it should only take effect on the issue by the governor of a proclamation announcing that the royal assent had been given. After the ratification of this law, Letters Patent were issued by the Imperial Government, revoking the original charter granted by the Letters Patent of 1858, and those Letters Patent issued subsequent to that date wherein provision had been made for

<sup>1</sup> "Cape Assembly Votes, 1878"; also Todd.

the government of Natal. These new Letters Patent also defined the duties of the governor in terms similar to those used by the Letters Patent of the governor of the Cape of Good Hope, and were accompanied by similar royal instructions.

The two most recent charters for self-government granted by the Imperial Government were those issued to the Transvaal and the Orange River Colony. The history of their development from independent republics to British colonies, enjoying the full measure of responsible government, is remarkable for its rapidity of growth.

In October 1899 war broke out between the Imperial Government and the two republics, and was terminated by the peace of Vereeniging, signed 31 May, 1902. By the terms of this peace the territories of both became colonies of the British Crown, and the Imperial Government undertook to introduce a civil government in them at the earliest possible date; and, as soon as circumstances permitted, to call into existence representative institutions as a preliminary to self-government. This obligation was discharged before the echoes of a devastating war had had time to die away. For a short time the two new territories were administered as crown colonies. In 1903 legislative councils were constituted in each of them, upon the usual crown colony model, consisting partly of official and partly of unofficial members, the officials being in the majority. The administration was carried on in each colony by a lieutenant-governor with an executive council, under one governor for both.

In the Transvaal responsible government was called into existence by Letters Patent issued on 6 December, 1906. The power of the legislature to pass laws was limited in respect of certain specified matters by a provision that the operation of such laws was to be suspended pending the signification in the colony of His Majesty's pleasure thereupon. The governor was appointed supreme chief over the natives, though his powers as such were inferior to those of the governor in Natal. The administration of the British land settlements was also placed under his control for five years. In other respects, the terms of the constitution were drawn up on the ordinary colonial model.<sup>1</sup>

History of the  
two ex-  
republics.

Transvaal  
Constitution.

<sup>1</sup> "Government of South Africa," Pt. I, Chap. 1. p. 25.

Orange River  
Colony Con-  
stitution.

Evolution  
from crown  
colony to  
responsible  
government  
in the  
Dominions ;

and the re-  
verse process  
in the West  
Indies.

In the Orange River Colony responsible government was established on similar lines by Letters Patent dated 5 June, 1907.

We have now briefly sketched the development of constitutional government as practised within our empire. We have seen how from charters granted under the British Constitution certain colonies having the energy and ability for government within themselves developed their parliamentary institutions, and how they have reduced to writing the well-defined constitutional rules which assist the numerous Acts, resolutions, proceedings, and rulings which go to make up the British Constitution. Representative and responsible government can only be adopted with success in the colonies containing a European population sufficiently large to enable parliamentary representatives to be elected by constituencies of more than one class, and this is only possible in those cold or temperate climes wherein Europeans are able to follow those callings which give a professional, a farming, an artisan, and a labouring class. The West Indian colonies illustrate this point. For two centuries Jamaica possessed a representative constitution. Its European population was mainly composed of planters, men belonging to a leisured or semi-leisured class. There was little or no class distinction. The political history is not a happy one. Parliamentary discipline was an impossibility. An increasing coloured and black population made legislation by a diminishing European population even more difficult. After a fruitless endeavour to work the representative and, for a short time, a responsible system, it was abandoned, and a simpler and more effective method of administration was resorted to. In 1866 the local legislature unanimously agreed to abrogate all the existing machinery of legislation and to accept in lieu thereof any form of government that might be approved by the Crown. Accordingly by an Imperial Act, passed in the same year, a new constitution was conferred upon the island and subsequently declared by Order in Council of 19 May, 1884, to consist of a Legislative Council composed of four ex officio members, five members appointed by the Crown and nine elective members. Beside this Chamber there is a Privy Council of eight members, appointed by the Crown, together with the Colonial Secretary and the Attorney-General.



The example of Jamaica in surrendering her free institutions and becoming a crown colony was afterwards followed by other colonies in the West Indies. British Honduras also, in 1869, surrendered its representative government and became a crown colony.<sup>1</sup>

We have seen the important part chartered companies have played in the settlement of colonies in America, and how some of these charters developed as time went on and conditions altered into constitutions modelled upon that which definitely granted the charter. A similar process is now being witnessed in South Central Africa; for in 1889 a royal charter was granted to the new British South Africa Company. The administrative system of the company in Southern Rhodesia, which is the principal field of its operations, was prescribed by the Orders in Council of 9 May, 1891, and 18 July, 1894. Since then there have been amendments in 1898, 1903, and 1905. In accordance with these orders there is a resident commissioner (who is also commandant general) appointed by the Secretary of State. To assist the company's administrator there is an executive council consisting of not less than four members appointed by the company with the approval of the Secretary of State. A member of the executive council holds office for three years. The legislative council consists of the administrator (president), seven nominees of the company approved by the Secretary of State, and seven members elected by the registered voters. The resident commissioner sits on both executive and legislative councils, but does not exercise a vote. Ordinances passed by the legislative council, when assented to by the High Commissioner for South Africa, take effect, but within one year may be disallowed by the Crown.<sup>2</sup> We have now examined the more important parts which go to make up the machinery for the governing of the British Empire; it will now be necessary to consider its working.

<sup>1</sup> Todd.

<sup>2</sup> "Statesmen's Year Book, 1909."

## CHAPTER VII.

### BRITISH IMPERIAL GOVERNMENT.

Effects of the  
advance of  
applied  
science.

THE annihilation of distance by the mechanical appliances of the age has been of more far-reaching benefit to the British Empire than to any other power; it has had the important effect of bringing all the component parts more closely in touch with each other, of preventing misunderstandings developing into grievances, and of obtaining, at short notice, expert advice upon intricate problems. It has resulted in the personal interchange of views by representatives of all the British dominions, and finally it has dealt a death-blow to parochialism. To-day the colonist of New Zealand, like the inhabitant of Ireland, measures the borders of his country by the confines of the Empire. But not alone have we to thank the fast-going steamboat, the railway, and the ocean cable for the rapid development of the spirit of Imperialism: the progress made by Imperialism has been a powerful auxiliary to mechanical science in our imperial advancement. When we note the wonderful strides taken in all these branches and compare the remarkable progress made with our slow political advancement, it is borne in upon us, perhaps reluctantly, that in this branch at least we have not kept pace with the numerous other branches which have played such an important part in the progress and development of our numerous and scattered possessions. To understand better how diverse the forms of government are (let it be remembered all derive their authority from the Crown, and their principles from the British Constitution), we will enumerate the systems and name the parts so governed.

Diverse  
methods of  
government  
in the British  
Empire.

A. *Direct Parliamentary Control*.—The United Kingdom.

B. *Secretary of State in Council*.—British India and de-

pendencies.

C. *Responsible Government*.—(1) Dominion of Canada, (2) Commonwealth of Australia, (3) Dominion of New Zealand, (4) The Union of South Africa, (5) Newfoundland.

D. *Partly Elective Council*.—(1) Bahamas, (2) Barbados, (3) Bermuda, (4) Jamaica, (5) Leeward Islands, (6) British Guiana,<sup>1</sup> (7) Malta,<sup>1</sup> (8) Mauritius,<sup>1</sup> (9) Cyprus,<sup>1</sup> subject to sovereignty of Turkey.

E. *Under entirely nominated Council*.—(1) British Honduras, (2) British New Guinea,<sup>1</sup> (3) Ceylon,<sup>1</sup> (4) Falkland Islands,<sup>1</sup> (5) Fiji,<sup>1</sup> (6) Gambia,<sup>1</sup> (7) Gold Coast,<sup>1</sup> (8) Grenada,<sup>1</sup> (9) Hong Kong,<sup>1</sup> (10) Lagos,<sup>1</sup> (11) St. Lucia,<sup>1</sup> (12) St. Vincent,<sup>1</sup> (13) Seychelles,<sup>1</sup> (14) Sierra Leone,<sup>1</sup> (15) Trinidad and Tobago,<sup>1</sup> (16) Turks Islands,<sup>1</sup> (17) Straits Settlements.

F. *Direct Crown Administration*.—(1) Gibraltar,<sup>1</sup> (2) Northern Nigeria,<sup>1</sup> (3) Southern Nigeria,<sup>1</sup> (4) Labuan,<sup>1</sup> (5) St. Helena,<sup>1</sup> (6) Basutoland.

G. *Protectorate under Colonial Office*.—(1) Malay States, (2) Western Pacific Islands, (3) Bechuanaland.

H. *Protectorate under Foreign Office*.—(1) British Central Africa, (2) Zanzibar, (3) Brunei, (4) Sarawak, (5) British East Africa, (6) North Borneo, (7) Somali Coast.

I. *Under Indian Government* (see B.).—(1) Aden, (2) Socotra, (3) Andaman Islands, (4) Perim, (5) Bahrein, (6) Nicobar.

J. *Under Admiralty*.—Ascension.

K. *Under Royal Chartered Companies*.—(1) Southern Rhodesia, (2) Northern Rhodesia.

The Colonial Office, reigned over by the Secretary of State for the Colonies, assisted by one Parliamentary Under-Secretary and one Permanent Under-Secretary and four permanent Assistant Under-Secretaries, is responsible to the Parliament of Great Britain for the good government of all these possessions, other than those enjoying responsible government, and even the latter colonies or commonwealths are for certain purposes under the Colonial Office.

The distribution of duties at the Colonial Office, that department which within four walls represents the greatest Division of duties at the Colonial Office.

<sup>1</sup> In these colonies the Crown may also legislate direct by order of council.

empire the world has yet seen, is as follows: The private secretary to the Secretary of State has the inspection of all political, constitutional, and defence questions, general supervision of papers on all subjects, before submission to the Secretary of State.<sup>1</sup>

The office is divided into:—

#### THE DOMINIONS DIVISION.

Under an Assistant Under-Secretary of State: Canada, Australia, New Zealand, South Africa, Newfoundland, Fiji, Western Pacific, Swaziland, and Rhodesia.

#### CROWN COLONIES AND GENERAL DIVISION.

(1) Under an Assistant Under-Secretary of State: Legal Questions; Settlement of Letters Patent, Commission, Warrants, Charters, Orders in Council, etc.; Treaties and Conventions; Coolie Immigration; Merchant Shipping; Post and Telegraphs, Hospitals, Lunatic Asylums and Prisons; Personal Questions arising under Section 56 of the Colonial Office Regulations;<sup>2</sup> Business connected with the Eastern and Mediterranean Colonies.

(2) Under an Assistant Under-Secretary: General Questions; Establishment of Colonial Office Arrangements; Questions relating to the Crown Agents for the Colonies; Pensions; Audit; Customs Management; Medical and Sanitary Questions; Education; Business connected with the West Indian Colonies, the West and East African Colonies and Protectorates, and the West African Frontier Force and King's African Rifles.

In addition to the Permanent Under-Secretary and four Assistant Under-Secretaries there are seven principal clerks, nine first-class clerks and sixteen second-class clerks. This then is the intricate machinery responsible for the greater questions connected with the good government of the British Empire.

Of the 392 millions of people governed in this complex

Population of  
the Empire.

<sup>1</sup> "Colonial Office List, 1909."

<sup>2</sup> Sec. 56 refers to committees of inquiry.



manner some 12 millions are British colonists or colonials of European descent enjoying the full privileges of self-government, in so far as the particular colony they are residing in is concerned. Add this population to the 44 millions of the United Kingdom and we have some 56 millions of people enjoying all the freedom of self-government given by a limited monarchy, or to express it more clearly, in receipt of all the good yet displayed by the best republican system without any of its evils. But there yet remains the far greater portion of the imperial population to account for. The government of British India, with its dependencies and feudatory states, contains a population of 294 millions of people.

Thus the large majority of the imperial population is, in theory, governed by the vote of the majority of the 44 millions of people in the United Kingdom, for in this case we have had to deduct the 12 millions of British colonists, as no imperial citizen *outside* of the British Isles has a say in imperial as apart from local legislation. Yet in actual practice Indian policy is not entirely at the mercy of the British electorate; the change of a British Government does not mean the possibility of an immediate reversal of Indian policy. The Secretary of State for India, who is the main organ of the King's rule over the Indian Empire, and his political Under-Secretary are, it is true, affected by the change, for they are superseded by new Ministers, but these new officials have to act in co-operation with the Indian Council in England, consisting of fifteen members, who may not sit in Parliament and whose seats are in no way affected by party politics, for they hold office during good behaviour. It has become an axiom that the British rule of India is a beneficent despotism; but strictly speaking this is not correct. In theory, as has already been shown, we hold India by a mild form of despotic government, but this could not have continued long when democracy had made such headway among the despots themselves. That rule, which was responsible for making India the great country it is, for exterminating the causes of internal warfare, for raising the masses from barbarism, and for bringing peace and quiet into a turbulent country, is now threatened by the introduction of democratic institutions. This modern tendency towards disintegration has been caused

The British electorate is the supreme power over India.

by these free institutions. The principal of them are: a free Press, the right of public association and debate, trial by jury, and the tentative introduction of the principle of representation on the provincial councils and municipalities.

Numerous  
and deep  
divisions  
among the  
Indian  
peoples.

Unfortunately the average imperial citizen, i.e. the British voter, is influenced in his imperial policy by his immediate environment. What is good for Shoreditch, he considers must be good for Hong-Kong or India. He understands that the inevitable result of free institutions is to encourage the growth of parties, but he fails to realize that in a country in which there is no sentiment of national unity parties will be formed along the lines of cleavage already existing. In India the lines of cleavage are principally those of race and religion, and it is upon these lines that parties are now forming themselves. The result is an accentuation of those very antipathies and jealousies which prevent India from becoming a nation. The division between the Hindus and Mohammedans represents the deepest line of cleavage among the Indian people. Before India can govern herself she must first grow into a nation, and before this can happen caste prejudices, far more accentuated than any national prejudice, will have to be eradicated. To grant self-government before this has happened would be to hand the country over to anarchy.

The monar-  
chical and ar-  
istocratic tra-  
ditions of the  
British Con-  
stitution are  
applied in  
India.

India of all the imperial possessions is the one country which stands out in bold relief as a monument to the flexible governance of the British Constitution. It would be impossible to find any general principle of coherence, other than monarchy, which could unite the varied sections of Indian society. Here are to be found numerous races, following various religions, using different languages, with countless dialects, almost every language having an alphabet of its own.<sup>1</sup>

What form of constitution could be framed that would, with peace and concord, govern such a mixed people having such divergent characteristics and interests? It is only in obedience to one supreme constitutional head that all can unite without suspicion and strife, and it is for that reason that India has shown no aptitude for any other form of

<sup>1</sup> Morison, "Imperial Rule in India".

government. India is successfully governed by the wise interpretation and applications of the monarchical principles of the Constitution. Governing a people whose civilization is older than (if not as advanced as) her own, Great Britain, emulating the Roman government of decadent Greece, has not interfered with ancient and deep-rooted customs, has respected the religions of the people, and has carefully regarded the traditions of an ancient country.

To apply the aristocratic provisions of her monarchical constitution—for these lend themselves peculiarly to the government of India—Great Britain has used the best and most able instruments that any nation has ever had at its disposal. The Universities of Oxford and Cambridge in particular have given their most brilliant men to serve their sovereign in this portion of the Empire. The universities in Scotland and Ireland and our great public schools have been no more backward. Our best soldiers, and our most able lawyers, have been ungrudgingly given in the service of India. The most promising youths of Great Britain are, by competitive examinations, drafted into the various services of our Asiatic possessions to interpret and apply the rules and regulations drafted under the British Constitution. Can our most jealous rival point to this quarter of the Empire and say that it is misgoverned? For the reply look to Russian rule in Asia or French rule in India. Here at least the British Constitution calls for no amendment. The question as to whether greater efficiency can be obtained from our Indian possessions as a unit of the British Empire in imperial governance will be dealt with at a later stage of this work. In India, British imperial governance is practised in the form of mild despotism, whereas in the self-governing colonies we witness the other extreme—that is, under the same constitution democratic rule is also to be found, and between the two there are those several other systems by which the same constitution is interpreted but in such manner as to fit the varying conditions of the governed.

We need but turn to Nigeria to illustrate the extreme flexibility of this instrument for imperial governance. Here we see a territory exceeding 380,000 square miles, with a native population of over 13 millions, still deeply submerged

in savagery. We find that the Constitution permits of an immediate organization of such government departments as are necessary to settle the country and to bring a barbarous people to assist in their own political development towards a more advanced state of government.

Southern Nigeria, which is officially known as the Colony and Protectorate of Southern Nigeria, is governed by Royal Letters Patent dated as recently as 1 May, 1906, and is divided for purposes of administration into three provinces. Each province is presided over by a provincial commissioner and divided again into districts under the charge of district commissioners and assistant district commissioners. The local government of this lately acquired territory is entrusted to a governor, assisted by an executive and a legislative council. The latter consists of thirteen members, eight official and five nominated unofficial. The executive is, in actual practice, the government of the country, and is responsible for the good and just governance of a vast native population; here indeed is an illustration of the moral power in monarchical governance, a power impossible under a republican constitution. The savages of Nigeria are first held in check, then brought under the sway of the regular institutions meting out law and order, not by the physical suasion of rifle and bayonet, as many of the opponents of imperial expansion would have us believe, but by the knowledge that the governor, an individual whom they can see at will, is the actual representative of a sovereign who is supreme over hundreds of millions of their fellow beings. This fact appeals to the savage mind, for the savage is a monarchist; he is too close to nature to be anything else. How few Englishmen realize what a remarkable testimony to the efficiency of British imperial government this country represents.

The High Commissioner of Northern Nigeria representing the Imperial Sovereign, and assisted by a dozen or so fellow Englishmen in the capacity of Cabinet Ministers (the executive council) and advisers (legislative councillors) and officials, holds unlimited but peaceful sway over the great Fulah Empire. The sovereign of this empire, the Sultan of Sokoto, whose dominions extend from Bornu to Borgu and from the



Sahara to the Lagos boundary, is Lord of the Faithful, and in Fulah eyes second only to the Sultan of Turkey. This slice of the British Empire also contains the native kingdoms of Bornu in the north-east and Borgu in the west of the protectorate. These realms are ruled over by semi-civilized Mohammedan potentates, owning allegiance to His Majesty King George V and taking instructions from his deputy, the High Commissioner of Northern Nigeria.

It is obvious that the functions of a governor of a crown colony are of a different nature from those of the governor of a self-governing colony. In the early stages of crown government the governor is called upon to create the administrative machinery, to assist him in the government of, it may be a wild tract of country populated by savage tribes and hordes of fanatical Mohammedans, as in the case of Northern Nigeria, or it may be that he is required to install governmental machinery for the peaceful subjection of a conquered people, as was so successfully done by Lord Milner in the Transvaal and the Orange River Colony. But whether it be in the one case or the other, the personality of the individual called upon to represent the Sovereign plays a very important part in the successful governance of the territory he has to rule, far more so, indeed, than in the case of the governor of a self-governing colony. In the case of a crown colony the governor has much of the routine work, which in representatively and responsibly governed colonies falls to the lot of Ministers. The policy of the colony is his and not that of a Ministry. He is not a constitutional figurehead, but is an active initiator of policy. He is called upon at times to decide upon his own responsibility questions involving imperial policy which under responsible government are decided by the advice of Ministers, and we may with truth remark here that the history of British colonial government shows that crown colonies are more free from errors of judgment in colonial and imperial policy than is the case with responsibly or representatively governed colonies.

The governor of a self-governing colony is the representative of the Sovereign and his power, and is kept within

Position of  
the governor  
in a self-  
governing  
colony.

the bounds of the Sovereign's prerogative. But the prerogative which limits his action is that defined by strict constitutional law, not that which is practically exercised in the mother country, still less the popular conception of the latter. There are certain prerogatives of the Crown suitably reserved in every colony to the direct and immediate expression of the royal pleasure thereon. The powers so reserved differ according to the position and circumstances of the particular colony, but in all cases there stands the abstract right of dealing with all colonial legislation, and of disallowing such Acts as may be considered objectionable, such as class legislation, or in direct opposition to imperial policy. The judicial prerogative of the Crown, or the right of determining in the last resort all controversies between subjects in every part of the Empire, the British subject's right to appeal to the Throne itself, one, if not the strongest, bond of Empire, was, until the passage of the South Africa Union Act, 1909, universally reserved, as being one of the most staple safeguards and most beneficial acts of sovereign power.

He represents  
the Sovereign;

The governor of a self-governing colony, although he is the first subject in the colony over which he presides, and is entitled to exercise that control over the administration which the great confidence reposed in him by his sovereign demands, is, in strict law, merely an agent of the Sovereign exercising in his name and on his behalf, under strict instructions, some of the royal prerogatives. His authority is derived and is strictly limited. He has not only to consider whether a proposed legislative change or administrative act is desired by the majority of the people of the colony, making their wishes known in a constitutional way, but whether it is consistent with the general interests of the Empire.

and is respon-  
sible for  
imperial  
interests.

"The general principle by which the governor of a colony possessing responsible government is to be guided is this: that when imperial interests are concerned he is to consider himself the guardian of those interests, but in matters of purely local politics he is bound, except in extreme cases, to follow the advice of a Ministry which appears to possess the confidence of the legislature; but extreme cases are those which cannot be reduced to any recognized principle, arising in circumstances which it is impossible or unwise to anticipate

and of which the full force can in general be estimated only by persons in immediate contact with them.”<sup>1</sup>

Now although a colonial governor represents his sovereign, that is, to all intents and purposes he is the sovereign of the colony of which he is governor, yet this deputation of sovereign authority is limited. If the Sovereign's authority is misused a Minister must be responsible for the act. The Sovereign is not assailable by a judicial process; it is only the adviser that is liable. But the governor of a colony, though representing the Sovereign, is not sheltered by his royal master. “It is the duty of the governor to administer the affairs of the colony by the aid of the Ministers who act under the superintendence and with the approval of the colonial parliament. His compliance with the advice of these Ministers is limited to matters of discretion, and he is bound to decline any proposal that is contrary to law. Neither a governor nor any other subject can be freed from the personal responsibility for his acts, or can be allowed to excuse a violation of the law on the plea of having followed the councils of evil advisers”.<sup>2</sup> The criminal as well as the civil responsibility of governors is settled law both by statute and judicial decisions.

The success of our system of imperial governance is shown by the history of such posts as Hong-Kong and Singapore. In the former we find a small barren island, which at the time of its cession to Great Britain was inhabited only by a few scattered communities of fishermen, and now we find it crowded with tens of thousands of Chinese, who have crossed from the mainland because they knew that under British rule they would be free from oppressive taxation, would be governed by just laws, and would be able to carry on a thriving and profitable trade; and so, in the once uninhabited island of Singapore, we see a wealthy population attracted from China, the Malay Peninsula, and India, by similar causes.

Great Britain differs from all other colonizing powers past and present in the colonizing objective. It has never been a sustained policy by the statesmen of Great Britain to exploit

British success in Hong-Kong and Singapore.

Aim of British colonization.

<sup>1</sup> The Duke of Newcastle (Secretary for the Colonies) to the Governor of Queensland, 26 March, 1862.

<sup>2</sup> Professor Hearn, “Government of England”.

the colonies for the profit of the mother country. Other countries, we know, have derived a considerable portion of their revenue from their colonies and dependencies. The Athenians exacted a considerable annual contribution from their allied states.<sup>1</sup>

With the Romans it was "the first principle of taxation that the provinces were to defray the expenses of the Empire";<sup>2</sup> and, as has already been stated, when they conquered Sicily, for instance, they exacted a tenth of the field produce and 5 per cent of the value of all exports and imports. Coming down to more recent times, other countries—as for instance Spain, Portugal, and Holland—have derived considerable revenues from their colonial possessions, but in doing so they have retarded the progress of their colonies, and have created hostility among the governed, to suppress which called for not only an expensive system of government but was a further burden upon the colonies themselves.

Contrast between American and Canadian treatment of natives.

It may be argued that the success of British government of subject races ranks more with the character of the Anglo-Saxon than with the monarchical system. To disprove this I will quote the remarkable testimony of an American bishop in contrasting the rule of the American Indians in the United States by Anglo-Saxons under a republican constitution, and by the Anglo-Saxons in Canada under a monarchical constitution. "On one side of the line is a nation that has spent £100,000,000 in Indian wars; a people who have not 100 miles between the Atlantic and the Pacific which has not been the scene of an Indian massacre; a government which has not passed twenty years without an Indian war; not one Indian tribe to whom it has given Christian civilization; and which celebrates its centenary by another bloody Indian war. On the other side of the line are the same greedy, dominant Anglo-Saxon race, and the same heathen. They have not spent one dollar in Indian wars, and have had no Indian massacres. Why? In Canada the Indian treaties call these men 'the Indian subjects of Her Majesty'. When civilization approaches them they are placed on ample reservations, receive

<sup>1</sup> Thucydides, "Pelop. War," Bk. I, ch. xix.; Bk. II, ch. xiii.

<sup>2</sup> Sir A. Grant, "How the Romans Governed their Colonies," p. 16.



aid in civilization, have personal rights in property, are amenable to law, and protected by law, have schools, and Christian people send them the best teachers".<sup>1</sup> This striking comparison between the same rule by the same people, under different constitutions, was written half a century ago whilst the American people were still as Anglo-Saxon as their neighbours governing Canada.

We need but turn again to Africa for further proof of the success achieved in the government of subject races by that system of interpreting the British Constitution known as crown colony government. Basutoland (the Switzerland of South Africa), inhabited by a hardy semi-civilized warrior race of people, prior to 1884, was a scene of continual annoyance to the South African colonies and to the Boer republic of the Orange Free State bordering it. Desultory warfare and cattle raids had to be stopped. In 1871, therefore, the country was annexed to the responsibly governed colony of the Cape of Good Hope, the area at the time being given at 10,300 square miles. The Basuto people resented this, and in 1879 Mairosi, a chief claiming the southern portion of Basutoland, openly repudiated colonial rule. An expedition was dispatched by the Cape Government, Mairosi's stronghold was captured after some severe fighting, and the chief himself was killed. In 1880 the Cape Government extended to Basutoland the Cape Peace Preservation Act of 1878, an Act providing for the disarmament of the natives. Its execution proved more difficult than was anticipated, and was never accomplished. The Basutos resisted the colonial troops with such success as to retain their arms, and then announced their willingness to be governed directly from the Crown, but protested against being governed through the Cape Government. In 1881 the intervention of the High Commissioner of South Africa was asked for, and peace between the Cape Colony and Basutoland was announced at the end of 1882. This war had cost the Cape Government an expenditure of £3,000,000 sterling, many valuable lives, and a considerable loss of prestige among the native races of South Africa, for they had failed in their object. The Basutos, after experimenting with

Example of  
Basutoland.

<sup>1</sup> Bishop Whipple, "The Hunting Grounds of the Great West," p. 43.

a form of self-government which proved unsatisfactory, appealed to the Imperial Government to take them over, and Cape Colony undertook to pay towards the cost of administration an annual contribution of £18,000. Consequently, in 1884, Basutoland became a British crown colony. The country has since been administered by a resident commissioner and a small staff of officials, the tribes are governed with due regard to native customs, and encouragement is given them to assist in their own governance through native parliaments, which in manner of summons, constitution, open air sessions and procedure, are identical with the parliament of the ancient Achaian League, and very similar to the Witenagemot of the Anglo-Saxons.

Success of  
crown colony  
government.

There can be no question that the conversion of Basutoland into a crown colony, administered by a British resident commissioner responsible to the Colonial Office, has contributed alike to the prospects of the Basutos, the security of the neighbouring colonies, and a peaceful condition among the natives of South Africa generally. The prestige of the Basutos as a fighting race was gained by numerous small successes against their neighbours the Boers, exaggerated into victories among the native races throughout South Africa, and this prestige was firmly established by the result of their war with Cape Colony. The conduct of the Basutos is therefore closely watched and taken as an example by all the native races in the sub-continent. On the outbreak of the Anglo-Boer war in 1899, the Basuto chiefs, at a great meeting held in the presence of the resident commissioner, gave expression to their gratitude for the beneficent character of Queen Victoria's rule and protection; which at an early date in the future will, no doubt, be rewarded by the forcible annexation of this, at present, peaceful little country, by the Boer Government of United South Africa.

Fiji.

Further testimony to the success of the crown government of our uncivilized or semi-civilized subject races may be found in our imperial government in the Pacific. The Imperial Government reluctantly consented to accept the cession of the Fiji Islands in the year 1874. This was done at the earnest request of our Australasian fellow countrymen and of the natives themselves. As had been foreseen, the

revenue fell short of the expenditure, and the Imperial Parliament had to vote £40,000 in 1875 and £35,000 in 1876 to carry on the government of the new colony. Under these circumstances Lord Carnarvon wrote to inquire of the four Australian colonies then enjoying self-government, and for whose benefit Fiji had been annexed, whether they would be disposed to contribute £4,000 a year each, thus leaving the main portion of the burden to the mother country, but not one of the colonies expressed any readiness to do so. Lord Carnarvon did not press the matter; for as he very truly observed, in a circular letter of 9 July, 1875, "it would have been obviously undesirable, in a matter where the grace of the action depended upon its being voluntary, and where the amount involved was so small that it would be mainly valuable as proving the readiness of the great colonies to accept their membership in the crown duties of the Empire, to put the slightest pressure upon any of them to make this joint contribution. It was as I explained in my former dispatch principally to give trial and effect to the principle of joint action among different members of the Empire in such cases, that I invited co-operation in a letter in which the contributions proposed were so inconsiderable as to make it practically immaterial, except in connexion with such a principle, whether the arrangement could be at once carried out."<sup>1</sup>

Fiji to-day is governed as a crown colony and with the same success as we have seen in Basutoland. The government is administered by a governor appointed by the Crown; he is assisted by an executive council consisting of a chief justice, colonial secretary, an attorney-general, a native commissioner, and a collector of customs. Laws are passed by a legislative council of which the governor is president. It comprises ten official members, six elected members, and two native members. For the purpose of native government the colony is divided into seventeen provinces, in ten of which a superior native chief exercises, under the title of "Roko Tue" of his province, a form of rule which recognizes to a large degree the principles of native administration.

Success of  
despotic  
system.

<sup>1</sup> Earl of Carnarvon to the Governments of Victoria, New South Wales, Queensland, and New Zealand. Downing Street, 9 July, 1875.

tion by which the people governed themselves prior to the establishment amongst them of a European form of government. In seven of the provinces there are European officers as commissioners. About 177 native chiefs of inferior degree are employed by the Crown in subordinate administrative capacities.<sup>1</sup>

We have now given a brief description of British imperial governance in its various stages of development from the personal rule of an administrator of a lately acquired native state, directly responsible to the Crown for an account of his actions, to the governor of a commonwealth or self-governing colony, whose functions are more or less nominal, but what extent more or what extent less will be dealt with in the following chapter.

<sup>1</sup> "The Statemen's Year Book, 1909."



## CHAPTER VIII.

### RESPONSIBLE GOVERNMENT OF COLONIES.

IN an address delivered to a Conservative Association in 1872, Lord Beaconsfield (then Mr. Disraeli), while admitting that the affairs of distant colonies could not be carried on except by self-government, expressed the opinion that the grant of self-government ought to have been accompanied by an imperial tariff, by securities to the people of England for the enjoyment of the unappropriated lands which belonged to the Sovereign as their trustee, "by a military code which should have defined precisely the respective duties of the colonies and the mother country in relation to national defence, and by the institution in London of a council representing the colonies and communicating confidentially with the Home Government".

Holding this opinion as to the necessity of self-government he yet appeared to suggest, that it had not been promoted by the Liberals because it was necessary, but was part of a sustained attempt to dismember the Empire. Lord Beaconsfield dated the imperial revolution in the government of the colonies from the Canadian mission of Lord Durham in 1838 which resulted in the first grant of responsible government. If this departure in colonial policy was a subtle attempt to effect the disintegration of the Empire, as it was stated to have been by statesmen of the day, such endeavours have been successfully foiled by the colonies themselves. The manner in which self-government was installed in Canada does undoubtedly lend colour to such suspicion; but it is only right to judge the action by its results, and as those results have been achieved by the colonists solely upon the freedom granted them by the imperial statesmen, it is ungrateful to seek for motives aiming at an opposite effect.

Beaconsfield  
on Imperial-  
ism.

Motives of the  
statesmen  
who granted  
responsible  
government  
to the  
colonies.

Local autonomy was inevitable.

With the example set in Canada of responsible government under a self-owned constitution by which all questions of local interest and concern should be managed by a representative legislature and a Ministry possessing the confidence of that legislature—the idea of responsible government took possession of men's minds like a scientific discovery. The series of able statesmen who presided over the Colonial Office, though they, of course, saw that self-government might be given too soon, realized also that the pressure in that direction was one of those irresistible pressures which arise out of the order of nature, and to which a wise policy must conform.

Beaconsfield's Imperialism would have involved undesirable restrictions of colonial liberty.

The very reservation suggested by Lord Beaconsfield in the granting of responsible government would undoubtedly have retarded the progress of the colonies and have made impossible that imperial (Pan-Britannic) confederacy now within measurable distance, and which, by reason of the free and unhampered internal development of the component parts, must be a product full of inherent strength and vigour. Lord Beaconsfield's idea of an imperial tariff was not that which the words would imply if given expression to to-day. He meant a tariff imposed by the British Government which if not absolutely of a free-trade nature would have been an effective check on any colonial tendency to derive what was thought to be an undue proportion of revenue from duties imposed for the purpose of protecting native industry. In the same way any attempt on the part of the British Government to have perpetuated the application of the land fund or any proportion of it to the assistance of English labourers would have been to deprive the colonies of an important branch of income, at the very time when every penny was required for their own development. Lord Beaconsfield's restrictions, had such been accepted, must have created at least two first-class grievances which would have diverted the whole current of imperial policy and would have resulted in the dismemberment of the Empire as unwittingly perhaps as, according to his own suggestion, the grant of full responsibility to certain colonies has resulted in their loyalty to the Crown.

When the full meaning of responsible government was understood, its grant was opposed by many statesmen in

Great Britain and in the colonies concerned. The plea was advanced that as the colonies developed they would become separate nations, and it was held in authoritative quarters that within seventy years of the grant of self-government to Canada the aggregate civilized population of the British colonies in North America, Australia and South Africa would greatly exceed that of the United Kingdom, and it was considered impossible that a political whole, composed of parts so great, so growing, so diverse in interest, so remote from each other and so free, would, notwithstanding, be kept together under one sovereign. But time has shown that all these fears were groundless, and that the population of the United Kingdom increased out of all proportion to the civilized population of the self-governing colonies. Moreover, the scientific discoveries and rapid advance in science generally during the latter half of the century completely revolutionized means of transport and communication. In addition to bringing the component parts closer together by the shortening of distance by time measurement there has been dispelled another of those bygone fears—the diversity of interests. The interests of the colonies and of the mother country are gradually growing more in unison—colonial business concerns now look to the capital of the Empire as a common and convenient centre from which to operate. The most coveted professional degrees are only obtainable in the mother country, and the great services rendered to the Empire by the universities and public schools of Great Britain in attracting the British youth from overseas is only exceeded by the imperial service rendered in distributing their graduates throughout British possessions. Thus we see a gradual but certain assimilation of interests taking place.

If, then, the original grant of self-government was made with the object of the colonies severing themselves from the parent country and developing into independent republics, an imperial link of increasing strength was inadvertently forged by an unworthy experiment, for only once in the history of the self-governing colonies has a disloyal attempt been made to take open advantage of a free constitution and to question the supremacy of the Crown. This was fortunately frustrated by the governor of the colony in question exercising

With the  
lapse of time  
Imperialism  
has become  
more feasible.

at the proper time those powers vested in him as the representative of the Sovereign. See page 186.

Results of  
responsible  
government.

The successive grant of responsible government to the colonies as they grew strong enough to exercise it removed from the mother country much of the detail of colonial policy, and placed the burden of such upon the shoulders of those actually on the scene of the political operations and those most intimately concerned with the welfare and development of the territory within their own sphere of influence. This created a separate political life within the colonies themselves. Prior to this there had been no real separate existence from the mother country. Political actions had been directed from the parent state. Political inspiration created by environment was killed at its birth by those traditions of the past which always fetter the free political action of British statesmen. As each of the elder colonies received full responsibility, so then was that particular colony allowed to make unhampered use of such political genius as it possessed. This was quick to make itself felt and was displayed by the enunciation of new ideas and principles or by the resuscitation of those long forgotten, but found to be applicable to recurring conditions. We find here a parallel to the history of Greece and her colonies. Many of the Greek colonies grew more rapidly than the parent states, less cramped in space, less tied by exclusive laws and customs, more mixed in population. Miletus developed faster than Athens, and Syracuse than Corinth; similarly we see Canada, Australia, South Africa and New Zealand springing suddenly into full manhood without any of the preparatory training of youth. It must be admitted that this rapid development is not an unmixed blessing. It has borne that rank weed, untutored democracy; and democracy untutored is Socialism. This inherent enemy of law and order is the canker responsible for the decay and ultimate downfall of more nations than all other causes combined, for it has been more or less existent where the downfall was attributed to some other cause.

Differences  
between the  
Dominions.

Whilst the self-governing colonies are each separate democracies, owing allegiance to the same Crown, they vary among themselves in the degree of democratic policy followed, from the aristocratic democracy of Canada, whose senators



are nominated for life, to the popular democracy of Victoria, whose similar legislative body is elected by the electorate for a period of six years. A further difference to be observed in the democratic principles adopted by these self-governed colonies is the varying qualification for the franchise, its difference in value, and the application to one or both sexes. In those colonies that have abjured the last but one aristocratic principle, viz. a nominee Upper Chamber—the safest check on untutored democracy we know of—there is to be observed a rapid degeneracy towards Socialism.

Aristotle's division of democracy into two classes, and his Aristotle on democracy. lucid description of these, is appropriate of the difference to be observed among our self-governed colonies, and there is also a warning against that form of democracy which is actually coming to pass in at least one of these possessions—but even here it has not yet reached that stage, at which it is too late to save the people from themselves. “One species of democracy is where the public offices are open to every citizen and the law is supreme. Another species of democracy is where the public offices are open to every citizen but where the people and not the law are supreme. The latter state of things occurs when the government is administered by *psephismata*, and not according to laws, and it is produced by the influence of demagogues. In democracies administered according to law there is no demagogue, the most distinguished of the citizens presiding in the assembly; but where the laws are not supreme, demagogues arise. For the people become as it were a compound monarch, each individual being only invested with power as a member of the sovereign body, and a people of this sort, as if they were a monarch, seek to exercise monarchical power in order that they may not be governed by the law, and they assume the character of a despot. A democracy of this sort is analogous to a tyranny (or despotism) among monarchies. Thus the character of the government is the same in both, and both tyrannize over the superior classes, and *psephismata* are in the democracy. What special ordinances are in the despotism, moreover, the demagogue in the democracy corresponds to the flatterer (or courtier) of the despot, and each of these classes of persons is the most powerful

under their respective governments. It is to be remarked that the demagogues are, by referring everything to the people, the cause of the government being administered by *psephismata*, and not according to laws, since their power is increased by an increase of the power of the people, whose opinions they command. The demagogues likewise attack the magistrates, and say that the people ought to decide, and since the people willingly accept the decision, the power of all the magistrates is destroyed. Accordingly, it seems to have been justly said that a democracy of this sort is not entitled to the name of a constitution, for where the laws are not supreme there is no constitution. In order that there should be a constitution, it is necessary that the government should be administered according to the laws, and that the magistrates and constituted authorities should decide in the individual cases respecting the application of them. So that if democracy is a constitution, it is evident that this state of things, in which the entire government is administered by *psephismata*, is not properly a democracy, inasmuch as no *psephisma* can be general."<sup>1</sup> It will be well if statesmen in certain of the self-governing colonies, when introducing legislation originating from the clamour of the populace, will but ponder over the passage of Aristotle just quoted, and let them but consider as to whether or not a tyranny is being gradually created.

Partially  
aristocratic  
evolution of  
Canadian  
politics.

The actual development and progress of all those colonies now enjoying self-government dates from the time of their assuming responsibility. The lines upon which each developed politically and the rate of progress have however not been uniform. The influences bearing upon the political life of those colonies were not all alike; Canada, the first to receive responsibility, had a large population of French extraction whose acknowledgment of British government was at that time but sullen acquiescence. Here, then, was one element of discord, another was the trading conditions of the time, and yet another the division of a frontier line of 3000 miles with a republic. At one time, indeed, in 1846, it appeared as if these three elements combined would mean the secession of Canada from Great Britain and

<sup>1</sup> "Polit.," iv. 4.

her union with the United States of America, for in that year the corn laws were repealed in Great Britain and the policy of free trade adopted, and as the navigation laws were still in force the Canadians were threatened with financial ruin. This resulted in an agitation throughout Canada urging annexation to the United States. Lord Elgin, then governor, was, however, equal to the occasion. He succeeded in having the navigation laws repealed, and by a remarkable display of tact and ability he eradicated such grievances as made for secession. The political character of the Canadians has followed upon aristocratic lines more closely than has been the case in any other British colony. The first settlers consisted largely of the scions of English, Scottish and French nobility. Then, as Canada had been governed by the French upon aristocratic principles and as the British policy upon conquest had been to allow their new subjects to retain many of their own institutions and customs, there was not that soil for the growth of democracy and Socialism found in the other colonies. The system of land tenure, continued from the French occupation, has been another safeguard to aristocracy. The seigniorial tenure similar to the feudal tenure under which land was held in France is still in vogue, although the English system of holding land in freehold was introduced in 1854.

In each case where responsible government was granted a colony the increased liberty so obtained was used, contrary to the expectation of the secessionists, in drawing together the bonds between themselves where they were geographically one, not with the object of eventually forming separate nations, but for the purpose of becoming a more important part of one empire.

Responsible government, then, has in all cases, with the exception of Newfoundland, whose geographical position makes it difficult, been used as a stepping-stone to imperial federation. Each colony as it has obtained this form of political liberty has set about putting itself in order for the next step in imperial evolution. In 1847 Canada was fully conceded responsible government. As has already been stated, no Act of Parliament was required to effect this most important change. The insertion and alteration of a few

paragraphs in the governor's commission and the royal instructions were sufficient. The following passages taken from the rules and regulations published by the Colonial Office describe the responsibility then granted to Canada.

Nature of  
responsible  
government.

"Under responsible government the executive councillors are appointed by the governor alone with reference to the exigencies of representative government, the other public officers by the governor on the advice of the executive council. In no appointments is the concurrence of the Home Government requisite.

"The control of all public departments is thus practically placed in the hands of persons commanding the confidence of a representative legislature.

"In colonies possessing what is called responsible government the governor is empowered by his instructions to appoint and remove members of the executive council, it being understood that councillors who have lost the confidence of the local legislature will tender their resignation to the governor or discontinue the practical exercise of their functions, in analogy with the usage prevailing in the United Kingdom."<sup>1</sup>

By 1848 the provinces of Canada, Nova Scotia, and New Brunswick, and by 1851 Prince Edward's Island, were in the full enjoyment of this system of self-government. The long fight for responsible government in Canada had the effect, as it has had since in the other colonies of the Empire, of quickening into life unthought-of political genius. Many of those men prominent in their agitation for political freedom for their own particular colony were the most loyal to the mother country and the most earnest in strengthening the bonds between the compotent parts of the Empire.

Sparsity of  
population;  
need for  
immigrants.

A problem which faced each colony upon promotion to responsible government was the sparsity of European population and the absence of men able and willing to accept legislative responsibility; consequently much of the initial work fell upon those few men in each colony who had become prominent in agitation for responsibility, and even to-day we

<sup>1</sup> Sir E. Creasy, "Imperial and Colonial Constitutions"; also Colonial Office List.



find the character of those men stamped upon the polity of the colonies, and in some cases the idiosyncrasies of the individual have developed into a settled political axiom. Men like Robert Baldwin of Upper Canada and Lemuel A. Wilmot of New Brunswick did much in steering a course for their respective colonies, which, whilst differing more or less, even in questions of principle, are all aiming towards the same goal.

The problem of sparsity of European population was the one each colony set itself to solve immediately responsibility was assumed. Whilst their internal policy had been dictated from Downing Street, the sad spectacle had been witnessed by the British colonies of 80 per cent of the British emigrants annually leaving the shores of Great Britain proceeding to the United States of America and thus becoming lost to the Empire. The cause for this was not far to seek. The Colonial Office officials, administering the colonies from London, were not intimately concerned with their progress and expansion either commercially or politically. In many instances they were entirely ignorant of their geographical situation or extent. As an illustration of this a story is told of Lord Palmerston and Sir Arthur Helps. Lord Palmerston was forming a new Ministry and in a preliminary council was arranging its composition. He had filled up all the portfolios with the exception of the Colonial Office. First one name and then another was suggested and thrown aside. At last he said : " I suppose I must take the thing myself. Come up stairs with me, Helps. We will look at the maps and you shall show me where these places are." The importance of the oversea possessions for the purpose of retaining within the Empire the migrating population of Great Britain appears to have been ignored by the British Government. No encouragement whatever was made to divert the continual stream of emigrants from the shores of the British Isles to foreign countries towards those British possessions starved for want of settlers. Possessions, moreover, blessed by nature with even greater advantages than those countries under foreign Governments which, by superior energy, were building up a hardy and progressive nation from the material which rightly belonged to the British colonies. Many millions of British subjects were lost to the Empire by either the ignorance or

apathy of the statesmen at the head of the Colonial Office up to the grant of responsible government to the colonies.

Advantages  
enjoyed by the  
immigrants.

Under crown and representative government many of the colonies had crown agents in London, but these officials were sadly hampered by the Colonial Office officials and their duties were little more than of a commercial nature; but as the colonies obtained responsible government they were each represented in London by an accredited agent-general whose functions were plenipotentiary. These agents-general did much to place before intending emigrants the advantages of their own particular colony, and by this means the European populations of the self-governing colonies were rapidly increased by those classes of settlers peculiarly suitable to the different colonies. Thus we find the hardy agriculturist making for Canada, the pastoralist, shepherd and drover immigrating to Australia and New Zealand, the Cornish miner to South Africa. Under crown or representative government the large majority of these, in ignorance of the advantages to be found under their own flag, would have gone to swell the ranks of other nations. These people upon their arrival in their new homes found that they were governed by a constitution which was but an offshoot of that they had left, the political conditions little different from that they had been used to, and owing to the smallness of the community they had now joined they were able to come closer in touch with the governing powers. These immigrants, after a few months' residence (in some of the colonies almost immediately) discovered that they had full political rights, and as the parliamentary institutions were but miniatures of those they had just left, they found themselves of greater importance in the political world.

Responsible  
government in  
Cape Colony.

In the case of the self-governing colonies of Canada and of Australia and New Zealand, the Ministries used their best efforts with marked success in attracting to their colonies immigrants from Great Britain, and the new arrivals successfully counteracted any insidious growth of local nationalism. They kept alive and invigorated the tie between the mother country and their own colony. This was, each year, made more easy by improvements in ocean transport and communication. But in South Africa the problem was of a more

difficult nature. It was only in late years that the discovery of diamonds and gold attracted a mining class which created a market for the local agriculturist. In 1872, when responsible government was granted to the Cape of Good Hope, the European population was 230,000, of which 75 per cent. were Dutch. In addition to the European or white population, there was a Negro and coloured population of 500,000. The Dutch or Boer farmers who constituted the larger proportion of the white population were sprung from the original European settlers, and looked upon the English as interlopers, and their attitude towards the crown government was that of sullen acquiescence. They were, too, the stock from which those migrations or treks north across the Orange and Vaal Rivers had broken, and in sympathy they were naturally more allied to those two republics which had eventuated from those migrations. It will therefore be readily understood that the granting of responsible government to the Cape under circumstances so different from those in existence in Canada, Australia and New Zealand on a like occasion was viewed from exactly that standpoint predicted by the pessimistic statesmen of Great Britain who opposed the granting of responsible government to the colonies, and but for the ability of the governor, Sir Bartle Frere, who inaugurated the new system, South Africa would have been lost to the Empire. The first Ministry under responsible government was formed by Mr. (afterwards Sir) J. C. Molteno, and it included Messrs. de Villiers and J. X. Merriman, two young South Africans allied in blood and sympathy to the emigrant Boers. These gentlemen regarded the granting of full responsibility to colonial Ministers as but another name for absolute independence.

In 1877 the colony was threatened with disaster from Kaffir War. the war which had broken out on her northern frontier with certain Kaffir tribes. Sir Bartle Frere, then governor, was of opinion that it was necessary to aid the colonial burgher forces by additional imperial troops. Accordingly he addressed a minute on the subject to his Ministers, in which he pointed out the need for reinforcements and the importance of an improved organization and control of the colonial military establishment. The colonial Premier, Mr. J. C.

Molteno, in reply asserted his belief that the colonists were able to help themselves without assistance from Her Majesty's Regular Army, whose presence in the colony tended, he thought, to depress the spirit of the people from a dread of military, or rather of imperial, domination. He therefore advised the withdrawal of Her Majesty's troops from the colony. He insisted, moreover, upon the right of the colonial Cabinet to undertake the entire management of the colonial forces; to place the same in charge of a colonial commandant-general, who should be uncontrolled by any imperial military authority; and that the governor himself should refrain from interference, inasmuch as he "has no special powers over colonial forces as commander-in-chief". This arbitrary assumption of power was accompanied by an intimation to the governor that one of the Ministry, Mr. J. X. Merriman, commissioner of crown lands, had been deputed to act as commandant-general, in command of all colonial forces whatsoever "under the sole control and direction of the colonial Government".

Cape Colony's  
aspirations  
towards  
independence.

In answer to this virtual declaration of independence, the governor denied the existence of the alleged dissatisfaction in the colony at the presence therein of an imperial military force; he protested against the scheme of his Ministers for the direction of the local volunteers, as being illegal and unconstitutional; and he referred to the reasonable and constitutional practice which had hitherto prevailed since the outbreak of hostilities, whereby "the Governor and Commander-in-Chief" was in the habit of meeting the general commanding the forces, and two or three of the responsible Ministers, for daily consultation and agreement, so that by their joint and concerted action and concert all necessary military measures might be authorized and determined upon. The governor furthermore contended that the distinction drawn by Mr. Molteno between imperial and colonial forces was entirely imaginary, because while serving in the colony all Her Majesty's forces, whether colonial or imperial, are subject to the authority of "the Governor and Commander-in-Chief" who is the chief military executive, and who is himself bound, in all questions affecting the colony, to receive the advice of his responsible Ministers, and not to act in op-



position thereto, without valid reasons, which he must place on record. The governor is also bound to warn his Ministers of the consequences of any advice they may offer when he sees danger from proposed changes, and to report to the Secretary of State any important change in contemplation.

"Admitting to the fullest practical extent that the governor acts solely by and with 'the advice' of his Ministers," Sir Bartle Frere declared his conviction that if, under present circumstances, he should accept the advice tendered to him, to send away the imperial troops and to trust for the suppression of the rebellion entirely to volunteers, with the idea "that such advice was in accordance with the wishes of Parliament, or would be approved by the Parliament of this colony," he "would be more fit for a lunatic asylum" than for the office he had the honour to fill. But Ministers still persisted in adhering to their expressed opinions in this matter and proceeded to carry them out by directing certain military operations without the sanction either of the governor or of the general in command. The general, however, entered a formal protest against this proceeding.

Ministers also caused to be inserted in the official "Gazette" divers military appointments and promotions which had not been previously submitted for the governor's approval. At first these appointments were made in the governor's name; subsequently they were gazetted without any reference to his authority. After repeated remonstrances with his Ministers for their illegal and unwarrantable conduct, and after ascertaining that they persisted in continuing in office, declaring that they were only accountable to Parliament for their public conduct, the governor at length, on 2 February, 1878, notified the Premier (Mr. Molteno) by a letter sent through a principal officer of the civil service, that he could no longer consent to retain them as his advisers, and that they would remain in office only until their successors were appointed.

Freely admitting that the governor in his capacity of Sir Bartle commander-in-chief is bound on military matters, as on all others, to take the advice of Ministers, who have practically the same power of control as Her Majesty's Ministers exercise over the Army in England; and that "through the

Frere and the  
Molteno  
Ministry.

governor and regular gradation of military subordination, every one of Her Majesty's officers and soldiers in active service in the country," without distinction between "colonial" and "imperial" troops, "is accountable to Ministers and directly controlled by them"; His Excellency nevertheless protested against the assumption by one of his Ministers (Mr. J. X. Merriman) without the sanction of the Crown or of the colonial Parliament, of the position and powers of a "minister of war, irresponsible to the governor, and as a general directing forces in the field uncontrolled by and irresponsible to any military authority".

On 5 and 11 February, Sir Bartle Frere addressed dispatches to Her Majesty's Secretary of State for the Colonies in which he narrated the preceding events, and mentioned that he had entrusted Mr. J. G. Sprigg, the Leader of the Opposition in the Assembly, with the task of forming a new Administration.

In his reply, dated 21 March, the Colonial Secretary expressed his full reliance on the governor's judgment, and did not question the propriety of his conduct in dismissing his late Ministers, a step which appeared to have been unavoidable. Whilst endorsing the opinions expressed by the governor, in denying the right of his Ministers to appoint an officer unknown to the Constitution, unauthorized by Parliament, and in opposition to the judgment of the governor, and to assign to him functions which would give him paramount authority, greater than that of the governor himself, in military matters, the Secretary of State proceeded to point out that the peculiar position occupied by the governor, as the Queen's High Commissioner, with powers in respect to adjacent territories which were not limited by the system of responsible government, as established at the Cape, entitled him to special consideration and authority, in respect to his lawful endeavours to preserve peace in Her Majesty's possessions in South Africa, and to prevent any eruption of hostile tribes into those possessions. It was therefore the more surprising that when differences of opinion arose as to the proper conduct of war, the local Ministry should have hesitated to yield their opinions to those expressed by the governor.

"In civil matters lying entirely within the Cape Colony,

I desire, of course, that the responsibility of your Ministers, for the time being, should be as full and complete as in other colonies under the same form of government, but in affairs such as those in which you have been recently engaged, your functions are clearly defined by the terms of your commission." In conclusion, the Secretary of State declared it to be "of the first importance that the earliest possible opportunity should be taken of affording such full explanations to your Parliament as may enable a clear and impartial judgment to be formed upon the same course adopted".

The colonial Parliament opened on 10 May, and on that day papers and correspondence respecting the dismissal of the Molteno Ministry were laid before the Cape Parliament. Meanwhile, the new Premier, Mr. Sprigg, in his address to his constituents upon his acceptance of office, justified the act of the governor in dismissing the preceding Ministry, on the ground that in the opinion of His Excellency, they were endeavouring to carry on the government by unconstitutional means, to which he could not assent; that while acknowledging the governor to be commander-in-chief of the imperial troops in the colony, it was contended that His Excellency did not hold that position with reference to the colonial forces, and that the Ministry were entitled to direct the movements of the colonial forces, not by way of advice to the governor, but upon their own responsibility alone, so that the governor and the general commanding Her Majesty's forces were kept in ignorance of the proposed movements of the colonial forces, no joint action taking place, but each branch of the military forces in the country working in ignorance of the plans and intentions of the other.<sup>1</sup>

Now, although Messrs. Molteno, Merriman, and De Villiers had been successfully foiled by the governor and the British section of the Opposition in a determined attempt to secure the independence of the Cape of Good Hope, they did not at once abandon their endeavours. Shortly after the session opened, Mr. Merriman moved the following resolutions: (1) "That, in the opinion of this House, the control over the colonial forces is vested in His Excellency the Gover-

<sup>1</sup> Todd, "Parliamentary Government in the Colonies".

nor only, acting under the advice of Ministers; (2) That it was not within the constitutional functions of His Excellency the Governor to insist on the control and supply of the colonial forces being placed under the military authorities except with the consent of Ministers; (3) That the action taken by His Excellency the Governor in that matter has been attended with results prejudicial to the colony, and has delayed the termination of the rebellion". The Speaker, however, rightly ruled that the second and third paragraphs of the resolution could not be entertained by the House in the form in which they were presented, it being contrary to constitutional principle and parliamentary practice to move any direct censure on His Excellency the Governor as the representative of the Sovereign, and it being held, by the authorities in parliamentary government, that the Ministry in office are responsible for the action of His Excellency the Governor. On 6 June, 1878, an amendment to the resolution approving the action of Sir Bartle Frere in dismissing the Molteno Ministry was carried by a vote of thirty-seven to twenty-two.<sup>1</sup>

Frere's  
action  
justified.

In a dispatch to the Colonial Secretary dated 18 June, 1878, Sir Bartle Frere reported the decision of the Cape Assembly upon Mr. Merriman's resolution, and mentioned the general approval of the result expressed by the colonial Press, which amply justified the "position of the Assembly as the constitutional guardian of the rights of the colony. After such a decisive expression of the opinion of the Assembly and of the country, it is hardly necessary that I should further discuss the constitutional question. Her Majesty's Government will, I trust, be now satisfied that in the extreme step taken, I did not go beyond what, in the estimation of the colony, and its representatives, was necessary to uphold the authority of the Crown, as constitutional head of all the armed forces of the colony, and guardian of the rights of the people against unconstitutional encroachments of any kind, when circumstances did not admit of an immediate appeal to the parliament of the colony".<sup>2</sup> The Secretary of State, in concluding his reply to this dispatch, said: "It affords me great pleasure to convey to you, on the part of Her Majesty's Government, their warm

<sup>1</sup> Cape Leg. Assem. Votes, 1878.

<sup>2</sup> Todd, "Com. Pap., 1878," V, 56, p. 252.



approval of your conduct both generally and in this particular case, and their thanks for your unceasing and successful efforts to reduce to order that administrative system which you found wholly unequal to the requirements of a grave emergency”.

Had the rich discoveries of diamonds and gold and other mineral wealth been delayed for a few years there is little doubt that a more successful attempt at secession would have been made, but with the opening of the diamond fields, and a few years later the gold mines, immigration from the United Kingdom was stimulated and the British population rapidly increased until, in spite of franchise laws in favour of the Boers, the representatives of both races in the House of Assembly were equalled. This equality of parties was not conducive to progress, as legislation for the good of the country was sacrificed to party politics. In 1882 the Dutch formed a political association which has played an important part in the history of South Africa. In that year the Afrikaner Bond was brought into being. This association has for its aim the development of the spirit of nationality throughout South Africa. This party succeeded in holding office from 1884 until 1890, when Mr. Rhodes, who had obtained the confidence of some of the Bond leaders, came into power.

In 1896, owing to the Jameson Raid, he resigned and was succeeded by Sir Gordon Sprigg at the head of a coalition Ministry. The cloud of a racial war was drawing over the country, therefore the Bond again assumed full power in 1898 with the object of assisting their kith and kin in the Transvaal and Orange Free State by again endeavouring by an unconstitutional act to secede from the Empire. On the outbreak of war Mr. Schreiner, then Premier, intimated to the then High Commissioner, Sir Alfred Milner, that the Cape Colony would remain neutral during hostilities between Great Britain and the two South African republics; consequently parliamentary government was suspended and martial law proclaimed. In 1904 the Progressives succeeded in securing power at the polls due to the disenfranchisement of a large number of rebels. In 1908 the Bond leaders, having recovered themselves and reorganized after the war, defeated

Afrikaner  
Bond.

Attitude of  
the Cape  
Ministry  
during the  
Boer War.

the British at the elections and assumed power under the Hon. J. X. Merriman.

The period of responsible government enjoyed by the Cape was not employed in the augmentation of its European population by immigration from the British Isles, hence we find that the Europeans have not increased at anything like the same ratio as in all the other responsibly governed colonies.

## CHAPTER IX.

### COLONIAL COMMONWEALTHS.

THE obtaining of responsible government, or the most complete liberty in local legislation, was not the consummation of colonial political ambition. Local autonomy but opened up a wider field for colonial statesmen, and one, too, towards the conquest of which responsible government was but a step. This was the federation or union of such colonies as were geographically so fitted. Thus we enter upon the last phase but one in the evolution towards imperial federation.

Half a century before the union of England and Scotland was brought about, a union of British colonies had been successfully achieved. It was in May 1643 that a convention of colonial representatives confederated the British colonies of Massachusetts, Plymouth, Connecticut, and New Haven as the "United Colonies of New England". The negotiations leading up to this confederation had taken six years, but when once the union was effected its advantages were felt immediately. At this time England, engaged elsewhere, had neither the time nor the inclination to interfere with her American colonies. The newly-formed confederation enjoyed almost complete liberty. A year after the union we find this confederation negotiating treaties with the French and projecting defences against the Dutch. But this, the first union of colonies in the Empire, was not a legislative one, it was simply an agreement of "offence and defence, advice and assistance". The long distances between centres of colonies, the primitive methods of communication and transport between the colonies themselves and the mother country, made it impossible for the union to be of a more binding nature. But the fact that British colonies, at this early date of British Imperialism, actually

Local autonomy was but the prelude to a federation.

Federation of the New England colonies.

united for a specific purpose shows that the tendency, even then, was to centralize certain functions of government, and as communication became more and more convenient and rapid, as distances became reduced by means of mechanical appliances, so then did the tendency grow towards a closer union between neighbouring states occupied by people sprung from the same stock, and using a common language.

For British imperial purposes the union of the American colonies was premature. Had such union been delayed until science had brought England and her colonies into closer touch, had distance and time not been such as to compel independent action—often at variance with the will of the mother country—the spirit of complete independence ending in actual secession would have been successfully counteracted by the wise diplomacy of far-seeing statesmen.

Canadian  
development.

The second union of British colonies was but a slight improvement upon the confederation of the New England colonies and likewise narrowly escaped ending in secession. In 1744 a revised constitution was granted by England to Canada. This was known as the Quebec Act. It conformed more closely to the desires and ideals of the French than to those of the British section of the population. Instead of allaying the feeling then existing between the two races, it had the effect of accentuating it. The whole of Canada was constituted one province to be known as Quebec. Many of the French laws, including land legislation and the perpetuation of the Roman Catholic Church, were re-enacted. The administration was placed in the hands of a governor and nominee council. Upon the termination of hostilities between the thirteen American colonies and the mother country a great number of Royalists, sincere in their conviction, preferred to remove to those districts where English sovereignty was still unimpaired. Until the struggle which lost to England these colonies, Canada was thoroughly French, nor during the War of Independence, waged across the St. Lawrence, was their loyalty to the English Crown shaken. Believing themselves secure in the exercise of their own rites of worship, of many of their national laws and in the guarantee of their customs, they were content with the sovereignty of England, and therefore they remained in-



different to the appeals made by those revolting States on their border, to join in a war of secession. But with the peace of 1783 numerous bands of Royalists crossed over from the lately formed republic. Their number was considerable, and as the most of them belonged to the richer classes, Canada, by this influx, gained not only in population but likewise in wealth.<sup>1</sup>

Upon the conclusion of the campaigns across the border a number of British soldiers, obtaining their discharge, settled in Canada. It is with the conclusion of the war of secession that the Anglicization of Canada begins, for in addition to the migration of the loyalists from the United States a steady, though at first slow, stream of immigration from England set in. We find that the population in 1763 was only 65,000, and by 1814 it had increased to 413,000.

The long wars with France had by this time imbued all Englishmen with a deep-rooted prejudice against all French institutions; nor, on the other hand, was the feeling of the French towards the English one whit more friendly. The new arrivals shunned any fusion with the French element, and therefore proceeded to locate themselves in the more remote districts to the north of Lake Ontario. It was not to be supposed that two races whose countries had been at war for centuries, and who looked upon one another as hereditary enemies, would quietly submit to be governed by one administration, especially as the Constitution favoured the subject race; therefore strong demands were made by the British section for the repeal of the Quebec Act. In 1791 this was done, and Canada was divided into two provinces; that portion lying east of the Ottawa River was known as Lower Canada, and that portion lying to the west of that stream was known as Upper Canada. The province of Lower Canada was almost exclusively populated by French, whilst the upper province was reserved to the British. Each province had a separate Government, composed of a governor and an executive council, appointed by the King, together with a legislature, of which the Upper Chamber, termed the Legislative Council,

Hostility of  
British and  
French ele-  
ments.

<sup>1</sup> Cotton and Payne, p. 97.

was nominated by the Crown and the Lower House was elected by popular vote.

Lower and  
Upper  
Canada.

At the time of which we are now writing the population of the two provinces, destined to play such an important part in the history of Canada, was very unevenly distributed. The total population of British North America was 250,000 souls, of whom at least 140,000 lived on the banks of the St. Lawrence and its tributary streams, and almost entirely represented the language, institutions, and history of the French régime. In the French province there was but a small percentage of British colonists, and these consisted mainly of officials and commercial men. On the other hand, the population of Upper Canada was but 25,000, and almost exclusively of loyalist stock. The grant of representative institutions to these colonies at this time had the effect of making the French Canadians loyal during the war of 1812-1815, with the United States, for they realized as clearly as did the British colonists of Upper Canada that severance from the Crown of Great Britain at this time meant absorption by the recently formed republic, and with it the sweeping away of all their long-cherished institutions and customs. At this time, too, the mother country had her hands full of trouble with the continent of Europe, with Ireland, and with the United States, and had no time to interfere with the Canadas, and, therefore, the newly granted constitution was even more free in practice than was originally intended. During the war of 1812-15 many incursions into Canadian territory by the republican troops were made, and proclamations were issued guaranteeing "peace, liberty, and security to life and property," to all who would accept American rule.

War with  
America;  
1812-15.

In this campaign, which lasted for a period of three years; the French and British Canadians vied with each other in their loyalty to the Crown, and augmented the small British army of 3000 men with an active militia army of 30,000 men. It must, therefore, be acknowledged that Canada was saved to the Empire by her own colonists. The superiority of the enemy, both in troops and all the munitions of war, was very great: 20,000 regular soldiers, besides as many militia, were at their disposal; the vessels built on the lakes were at their own door, armed from their own arsenals and manned by the

picked men of their commercial marine. The British naval force on the lakes required to bring every gun, and a great part of its naval stores, from Great Britain. And then, too, the Government could with difficulty spare, from the wants of a navy which was spread over the globe, even a handful of sailors for this remote inland service. Unfortunately, the result evidently of ignorance or of under estimate of their enemies on the part of the British Government, scarcely any effort was made to enrol from among the numerous and skilful seamen of the coast of North America. Such a force would with ease and certainty have secured for them the command of the lakes.

With the return of peace the Canadians again had leisure to consider the weaknesses of their political system, and there now began the most unfortunate period of Canadian history, a period of twenty-five years, which goes to illustrate the folly and misery of faction when intensified by racial antagonisms. In Lower Canada the very French colonists who had fought for the British Crown when the independence of their colony was threatened did not hesitate to profess their desire to make French Canada exclusively a French dominion. Undoubtedly their feeling against the British was accentuated by the arrogance and incompetency of the officials sent out from England. Then, as is sometimes the case to-day, the colonial appointments were considered the perquisites of incompetent politicians of England, or of the relatives of Government supporters incapable of holding office elsewhere. Justice to the colonists themselves was never considered, and it was for this reason that there were many Englishmen who were found fighting for popular liberties on the side of the French Canadians, though few of these Englishmen were prepared to go beyond the limits of constitutional agitation and threaten the British connexion.

The Canadians had barely recovered from war before they found themselves taking sides in political strife with effects just as disastrous to their colony and as dangerous to the Empire. The struggle for political supremacy was fought on racial lines. The governors dissolved the legislatures with a frequency unparalleled in political history, and owing to their nationality were personally drawn into the conflict.

Anti-British  
feeling in  
Quebec.

Public officials, including the judges, were constantly impeached. A crisis was reached when the Imperial Government sent Sir Francis Bond Head, as lieutenant-governor of Upper Canada. He was an incapable and inexperienced man and he alienated even the confidence of the moderate element of the reformers. His attitude towards the colonists drove some of them into open rebellion in 1837 under the leadership of the French Canadian Papineau, but the latter failed to gather around him more than four or five hundred armed men, and these were easily defeated, Papineau escaping to the United States. This revolt and another not more serious organized a few months later by McKenzie drew the attention of the Imperial Government to the unsatisfactory state of affairs in colonies that were rapidly developing in importance, and in consequence Lord Durham was sent out as High Commissioner in 1838. Two years later he united Upper and Lower Canada in a legislative union with responsible government. This then was the second union of a set of British colonies.

Union of the  
two Canadas.

Lord Durham did not hesitate to state that the object of uniting the two Canadas in this legislative union was for the purpose of the British, who now predominated in numbers, absorbing the French colonists. To make this more effectual he favoured the federal form of union, but, seeing that this was impossible without better means of travel and of transport from one province to the other, he abandoned his original scheme. The population of the two Canadas at this time was estimated at 1,000,000 souls. That of Upper Canada, wholly British, being 400,000 and of Lower Canada 600,000, of whom 450,000 were French. By this legislative union and a re-distribution of legislative seats a clear British majority was assured. But contrary to the expectations of Lord Durham, instead of the Act of Union acting unfavourably to the French Canadians, it gave them eventually a predominance of power. It was found that the British split up into several factions. There were the Conservatives, composed chiefly of the old "family compact" party, then opposed to them was a large party of moderate Liberals who sympathized with the French, and an extreme party of Radicals. This split in the British camp enabled the French



minority virtually to assume power, so much so that by 1845 they had restored French as the official language. The French had for many years pressed for the legislative council being made elective; this was now conceded. As the British section of the population increased by immigration their demand for parliamentary representation commensurate with their increase since the union was steadily resisted by the French Canadians as an unwarrantable interference with the security guaranteed them under the Act. Political passion and racial hatred reached their height when the Baldwin-Lafontaine Ministry carried through a measure to indemnify all those persons who had not taken part in the late rebellion, but who were justly entitled to compensation for actual losses. This measure brought about a riot; a manifesto was freely signed for annexation with the United States, and it ended in the Parliament Houses in Montreal being burned down. It was now acknowledged that legislative union in which no form of state autonomy was recognized, was a failure. It was discovered from this experience that though the political system set up marked a long step in advance of what had gone before in colonial administration, it fastened together in the bonds of legislative union two peoples differing widely in race, language, customs, and religion. The union, therefore, could only be mechanical.

By 1864 legislation came to a deadlock; the legislature was so evenly divided that a Conservative Government, which in April of that year obtained a vote of confidence by a majority of two, was defeated by a majority of two in June. As a Liberal Government had been forced to resign four months before for the same reason it was now apparent that the government of the country was at a standstill. There were those who considered that there was a solution of the problem in federation. The idea was an old one. From 1841 to 1864 many attempts had been made to bring about a federation of the states of the United Canadas together with Nova Scotia, New Brunswick, Prince Edward's Island, and Newfoundland. The difficulties, however, had been many. There was racial feeling and the disinclination of the smaller states to join a confederation in which the dominant party favoured either secession or annexation by the United States.

Federation in  
British North  
America.

Then there were certain commercial jealousies existing between the maritime colonies and the inland states. In 1864, however, owing to the deadlock in the union, the leaders of the different Governments in Canada and the maritime provinces of Nova Scotia, New Brunswick, and Prince Edward's Island combined with the leaders of the Oppositions with the object of carrying into effect the great measure of federation. A convention of thirty-two representative men was held in October 1864, in Quebec, and was known as the Federal Convention. The representation was as follows: Canada, 12; Nova Scotia, 5; New Brunswick, 7; Prince Edward's Island, 7; Newfoundland, 2. After a deliberation of several weeks, the result was the unanimous adoption of seventy-two resolutions, embodying the terms and conditions in which the provinces, through their delegates, agreed to a federal union. These resolutions had to be laid before each of the legislatures and adopted in the form of addresses to the Queen. In the case of New Brunswick, the legislature dissolved twice on the issue, whilst the legislature of Newfoundland would have nothing to do with the scheme, preferring to retain their independence as a responsibly governed colony of Great Britain.

In December 1866, a second conference of delegates from the Governments of Canada, Nova Scotia, and New Brunswick was held at the Westminster Palace Hotel, in London, and some modifications were made in the Quebec resolutions, chiefly with a view to meeting objections from the maritime provinces. In the following year, 1867, an Act was passed by the Imperial Parliament without a division, federating the Canadian colonies. The provinces federating under this Act (British North America Act, 1867, 30 Vic. cap. 3) were at first the two Canadas (united 1841, under Union Act) properly so called, together with Nova Scotia, Cape Breton, and New Brunswick.

Constitution  
of the  
Dominion.

The Act federating these colonies provides that the Constitution of the Dominion of Canada shall be similar in principle to that of the United Kingdom, that the executive authority shall be vested in the Sovereign of Great Britain and Ireland and carried on in her name by a Governor-General and Privy Council; and that the legislative power shall be exercised by a Parliament of two Houses, called the

“Senate” and the “House of Commons”. Provision was made in the Act for the admission of British Columbia, Prince Edward’s Island, and the North-West Territories, and Newfoundland; the latter alone has not availed itself of this provision. In 1869 the North-West Territories—from which were created the rich provinces of Manitoba, Saskatchewan, and Alberta—were added to the Dominion by purchase from the Hudson Bay Company; on 25 July, 1871, the provinces of British Columbia, and by an imperial Order in Council of 16 May in the same year, Prince Edward’s Island, were further added to the confederation.

The members of the Senate of the Parliament of the Dominion are nominated for life, by summons of the Governor-General under the Great Seal of Canada. By the terms of the Constitution there are now eighty-seven senators. Each senator must be 30 years of age, a born or naturalized subject, and must reside in and be possessed of property, real or personal, of the value of £1000 within the province for which he is appointed.

The House of Commons of the Dominion is elected by the people for five years, unless sooner dissolved, at the rate at present of one representative for every 25,367, the arrangement being that the province of Quebec shall always have sixty-five members and the other provinces proportionally, according to their populations at each decennial census. On the basis of the census of the Dominion taken in April 1901, and in accordance with a Redistribution Bill passed in 1903, the House of Commons consists of 214 members.

The members of the House of Commons are elected by constituencies, the electors of which are supplied by franchises under the control of the several provincial assemblies. The qualifications for voting vary in the several provinces. Voting is by ballot.

The nine provinces forming the Dominion have each a separate parliament and administration, with a lieutenant-governor at the head of the executive. They have full powers to regulate their own local affairs and dispose of their revenues, provided only they do not interfere with the action and policy of the central administration. The lieutenant-governors are appointed by the Governor-General. Quebec

The provincial  
constitutions.

and Nova Scotia have each two Chambers (a Legislative Council and a Legislative Assembly) and a responsible Ministry. Each of the other provinces have but one Chamber (a Legislative Assembly) and a responsible Ministry. The territory of Yukon is governed by a commissioner and an executive council of ten members, five of whom are elected by the people.

The representation in the federal and provincial legislatures is as follows:—

						Senate.	House of Commons.	Provincial Legislature.
Ontario	-	-	-	-	-	24	92	98
Quebec	-	-	-	-	-	24	65	98
Nova Scotia	-	-	-	-	-	10	20	59
New Brunswick	-	-	-	-	-	10	14	46
British Columbia	-	-	-	-	-	3	6	38
N.W. Territory	-	-	-	-	-	2	4	31
Prince Edward's Island	-	-	-	-	-	4	5	30
Manitoba	-	-	-	-	-	4	7	40

The important difference between the American and Canadian federation.

Those responsible for the framing of the Canadian Constitution were guided by the experience witnessed in the working of the federal Constitution of the United States, and at the very time that the Canadian statesmen were forging their instrument for better government the United States were just emerging from a great war brought about by the different interpretation of the power of the Federal Government. The Southerners claimed that any State or States had a right to secede from the federal union and resume independence or to form a new confederacy. Upon the other hand the Northerners contended that the contracting States had been absorbed by the nation and therefore could not sever themselves from the body politic. As neither would yield, war was inevitable. The Canadians carefully made provisions against a similar controversy arising over their constitution. The Americans had surrendered certain State powers to the central Government, leaving the rest to the individual States, and it was on this point that the dispute arose. The Canadians therefore retained to the provinces certain clearly defined powers, but surrendered all else to the central Government, and it is expressly stated that any power not reserved to the provinces belongs to the Dominion. The Dominion



Government has, moreover, the right to disallow any Act passed by one of the provincial parliaments if it considers such to be against the interests of either the Dominion or the Empire. The Constitution also provides for appeal to the judicial committee of His Majesty's Privy Council of Great Britain in the event of disputes between the provinces and the Dominion, and for interpretation of the Constitution.

The following are the powers assigned to the Dominion and those retained by the provinces :—

Dominion and provincial powers.

*Dominion powers.*

*Provincial powers.*

1. Public debt and property.
2. Regulation of trade and commerce.
3. Raising money by any mode or system of taxation.
4. Borrowing money on public credit.
5. Postal service.
6. Census and statistics.
7. Militia, military and naval service, and defence.
8. Fixing of and providing for salaries and allowances of civil and other officers of the Government of Canada.
9. Beacons, buoys, lighthouses, and Sable Island.
10. Navigation and shipping.
11. Quarantine establishment and maintenance of marine hospitals.
12. Sea, coast, and inland fisheries.
13. Ferries between a province and any British or foreign country, and between two provinces.
14. Currency and coinage.
15. Banking, incorporation of banks and issue of paper money.
16. Savings banks.
17. Weights and measures.
18. Bills of exchange and promissory notes.

1. Amendment from time to time, notwithstanding anything in the B.N.A. Act, of the constitution of the province, except as regards the office of lieutenant-governor.
2. Direct taxation within the province in order to raise a revenue for provincial purposes.
3. Borrowing of money on sole credit of the province.
4. Establishment and tenure of provincial offices, and appointment and payment of provincial officers.
5. Management and sale of public lands belonging to province, and of timber and wood thereon.
6. Establishment, maintenance, and management of public and reformatory prisons in and for the province.
7. Establishment, maintenance, and management of hospitals, asylums, and eleemosynary institutions in and for the province, other than marine hospitals.
8. Municipal institutions in the province.
9. Shop, saloon, tavern, auctioneer, and other licenses, in order to raise revenue for provincial, local, or municipal purposes.
10. Local works and undertakings other than such as are of the

*Dominion powers.*

19. Interest.
20. Legal tender.
21. Bankruptcy and insolvency.
22. Patents of invention and discovery.
23. Copyrights.
24. Indians and land reserved for Indians.
25. Naturalization and aliens.
26. Marriage and divorce.
27. The criminal law except the constitution of courts of criminal jurisdiction, but including procedure in criminal matters.
28. Establishment and management of penitentiaries.
29. All matters not expressly given to the provinces.

*Provincial powers.*

following classes: (a) lines of steam or other ships, railways, canals, telegraphs, and other works, and undertakings connecting the province with any other or others of the provinces, or extending beyond the limits of the province; (b) lines of steamships between the province and any British or foreign country; (c) such works as, though wholly situate within the province, are before or after their execution declared by the Parliament of Canada to be for the general advancement of Canada or for the advantage of two or more of the provinces.

11. Incorporation of companies with provincial objects.

12. Solemnization of marriage within the province.

13. Administration of justice within the province including constitution, maintenance, and organization of provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters within these courts.

14. Imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the province made in relation to any matter coming within any of the classes of subjects enumerated in this section.

15. Generally all matters of a merely local or private nature within the province.

16. In and for each province the legislature may exclusively make laws in relation to education, subject to certain provisions, of which the chief is that nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the union.

It must not be thought that the passing of the Federal Act was an immediate solution of the political difficulties. There was at first little enthusiasm for the new constitution. A strong movement was set on foot in Nova Scotia for the repeal of the new Act, and at the first election under federation for the provincial legislature, of the thirty-eight members, thirty-six were pledged to work for repeal, and a delegation was sent by this province to England to persuade the British Government to re-open the question, but without success. Sir John Macdonald, who formed the first federal Ministry, wisely made his Cabinet representative of both races and of all the provincial interests concerned. He was thus able to lay truly the lines upon which the federation was to run and which as years went on were to converge towards imperial federation.

Dissatisfaction of Nova Scotia.

Federation, by creating a higher legislature untrammelled with the details of local questions, set free some of the best colonial statesmen to devote their ability and energy solely to questions affecting the Dominion as a whole. The efficiency of the system was quickly apparent in the better relations with their neighbour, the United States, and in the tightening of the bonds connecting the colony with the mother country. It had the immediate effect of killing the movement for secession and for annexation by the United States.

Results of federation.

The effect of federation upon the development of Canada has been phenomenal. Each province has vied with its neighbour in internal development. Upon federation the population of the Dominion was 3,400,000, in 1901 it had increased to 5,371,315, and to-day it is estimated at 6,500,000. In 1906 the immigrants numbered 189,064, whilst during 1909 over 200,000 immigrants from over sea arrived in the Dominion, and no less than 70,000 families emigrated from the United States into Canada, each family averaging a capital of £250.

Since the passing of the Federal Act, Canada has attracted each year an increasing number of citizens from the neighbouring republic, and it must be stated as one of the many great tributes to British imperial rule that these men, born and brought up with republican sentiments, became loyal British subjects. Occasionally one hears of the intro-

duction of American political methods by a few of the more unscrupulous politicians, but such cannot take root in soil foreign to them nor can they remain long unexposed under any constitution drawn on British lines.

Canada and  
the Boer War.

The wise and far-seeing policy of building up a colonial aristocracy is having its effect, too, in keeping under the insidious doctrines of Socialism, and has the good effect of bringing the Canadians more closely in touch with the best traditions of the parent country, and of divorcing sympathy from republican sentiments. The stability of this imperial prop was tested on the first occasion that the parent country had need for the services of her imperial subjects since the federation of the Canadian colonies. Upon the outbreak of the Anglo-Boer War in 1899 the Dominion of Canada immediately offered the services of a Canadian contingent free of expense to the mother country. The Secretary of State for the Colonies telegraphed that the Imperial Government accepted the offer and stated that the units should be in units or companies of 125, the senior officer to be of a rank not higher than major, and that infantry would be preferred. These conditions were for the purpose of allowing the companies to be attached to battalions of the regular army. Prior to this campaign and for some time afterwards the Imperial military authorities were prejudiced against colonial troops. The history of the war proves how unfounded this prejudice was. The two obnoxious conditions were, at the request of the Canadian Government, withdrawn. On 30 October, 1899, the first Canadian contingent of 1000 men was dispatched to South Africa. A month later the Dominion offered a second contingent, but this was not accepted until after the defeats of Magersfontein and Colenso. The second contingent was dispatched in January of 1900 and consisted of two battalions of mounted rifles, and three six-gun field batteries. This contingent was drawn from the Canadian permanent forces. During 1900 yet another contingent, known as the Canadian Scouts, was dispatched to the war, followed by Lord Strathcona's corps of 500 roughriders recruited from the North-West Territories, and in 1901 the Imperial Government accepted a further contribution of 900 mounted men from Canada.



Apart from the practical service rendered to the Empire by these contingents of Canadians supplied at the expense of the colonial Government, the effect upon imperial unity has been considerable. The South African War brought together colonials from various colonies and of different social grades, and it brought home to Englishmen and foreigners alike that the large colonial commonwealths were nations in fact and were but waiting for the oft-asked-for invitation to join in imperial unity.

The next set of responsibly governed British colonies to bind themselves together by a federal constitution was those of Australia. In this case, however, federation was not forced upon the states by the inefficiency of the then existing system of responsible government, for the grant of responsible government had laid at rest the last burning question of colonial importance. It, therefore, became necessary from the colonial point of view to create a question of importance and of progress; British Canadians had made federation a success, then why should not British Australians?

The first practical move in this direction was made in response to a report made in 1889 by Major-General Edwards upon the defences of Australia. Tentative proposals had been made in 1854 and again in 1863. In Major-General Edwards's report it was pointed out that some system of federal union was desirable for purposes of colonial defence. This led Sir Henry Parkes to address the Premiers of the other Australian colonies on the desirability of such a union, and the immediate result was a conference held at Parliament House, Melbourne. This consisted of representatives from each of the seven colonies elected by the people. Each colony sent two representatives, except Western Australia, which sent one, and at seven meetings of this conference the question was discussed at length. The conference adopted an address to the Queen expressing loyalty, and enclosing resolutions, which affirmed the expediency of an immediate union, under the Crown, of the Australian colonies. It was also recommended that steps should be taken for the appointment of delegates to a National Australasian Convention, to frame

Federation in  
Australia.

Progress of  
the move-  
ment.

National  
Australasian  
Convention.

a scheme for a federal constitution. Delegates were thereupon appointed by the different Australasian colonies, and on 2 March, 1891, the convention met in Sydney. This convention consisted of forty-five members, each state sending seven delegates, with the exception of New Zealand, which sent three. Sir Henry Parkes, who was practically the author of the movement, was unanimously elected president of the convention and Sir Samuel Griffiths, Premier of Queensland, vice-president. The public were admitted to the debates and an official record of the proceedings was published. The resolutions as carried were:—

That, in order to establish and secure an enduring federation for the structure of a federal government, the principles embodied in the resolutions following be agreed to:—

Resolutions  
on federation.

1. That the powers and privileges and territorial rights of the several existing colonies shall remain intact, except in respect to such surrenders as may be agreed upon as necessary and incidental to the power and authority of the Federal Government.

2. No state shall be formed by separation from another state, nor shall any state be formed by the junction of two or more states or part of states, without the consent of the legislature of the states concerned, as well as of the Federal Parliament.

3. That the trade and intercourse between the federal colonies, whether by means of land carriage or coastal navigation, shall be absolutely free.

4. That the power and authority to impose customs duties, and duties of excise upon goods the subject of customs duties, and to offer bounties, shall be exclusively lodged in the Federal Government and Parliament, subject to such disposal of the revenues thence derived as shall be agreed upon.

5. That the military and naval defence of Australia shall be entrusted to federal forces, under one command.

6. That provisions shall be made in the Federal Constitution which will enable each state to make such amendments in its constitution as may be necessary for the purposes of federation.

Subject to these and other necessary conditions this con-

vention approves of the framing of a federal constitution which shall establish:—

1. A Parliament to consist of a Senate and a House of Representatives, the former consisting of an equal number of members from each colony, to be elected by a system which shall provide for the periodical retirement of one-third of the members, so securing to the body itself a perpetual existence, combined with definite responsibility to the electors; the latter to be elected by districts formed on a population basis, and to possess the sole power of originating all Bills appropriating revenue or imposing taxation.

2. A judiciary, consisting of a federal Supreme Court, which shall constitute a High Court of Appeal for Australia.

3. An executive, consisting of a Governor-General and such persons as may from time to time be appointed as his advisors.

On 9 April, 1891, the draft “ Bill to constitute the Commonwealth of Australia ” was brought up, and it was resolved by the convention that the parliaments of the separate colonies should submit it to the people of the several states. It was also agreed that as soon as the Constitution should be adopted by three of the colonies the Imperial Parliament should be urged to establish the federal government herewith. But the Bill did not go before the people, for their apathy showed that the country was not yet ripe for federation, in spite of the commendable energy of a few political leaders. Even the authors of the Bill realized this, and parliamentary sanction was not sought in any of the colonies.

In 1896, however, fresh life was given to the movement, and enabling Acts were passed by New South Wales, Victoria, Tasmania, South Australia, and West Australia. Delegates were again elected by popular vote in all the colonies except West Australia, where the delegates were chosen by the parliament. The delegates numbered ten from each colony. This convention adopted the draft Bill of 1891 as a basis, and this was submitted to the people in March, 1898. It was accepted by Victoria, South Australia, and Tasmania, by popular acclamation, but in New South Wales very great opposition was shown, the main points objected to being the financial provisions, equal representation in the Senate, and the diffi-

Opposition in  
New South  
Wales.

culty in the way of larger states securing an amendment of the Constitution in the event of a conflict with the smaller states. The Bill was rejected by the people of New South Wales, the statutory number of 80,000 votes not being reached, the voting being 71,595 in favour, and 66,228 against.

The Common-  
wealth Act,  
1900.

A conference of Premiers was now called and at this certain points were conceded to New South Wales, but the essentials of the Bill remained intact and were eventually accepted by New South Wales. The colonial draft Bill was now submitted to the Imperial Parliament for legislation as an Imperial Act and it was passed into law in July 1900, under the name of "The Commonwealth Act, 1900".

Australian  
Constitution.

The Australian Constitution is an unfortunate compromise between the American and the Canadian system. The desire of the states to preserve their independence was so strong that the powers of the Federal Parliament and Government are badly defined. As in the Canadian Constitution the wise provision for appeal to the judicial branch of His Majesty's Privy Council is made. Here again we see a recognition of the importance of an imperial judiciary. The Constitution provides that the legislative power is vested in a Federal Parliament, consisting of the King, a Senate and a House of Representatives, the King being represented by a Governor-General. The Senate consists of senators (six for each of the original states) chosen for six years. In general the Senate will be renewed to the extent of one-half every three years, but in case of prolonged disagreement with the House of Representatives, it may be dissolved and an entirely new Senate elected. The House of Representatives consists as nearly as may be of twice as many members as there are senators, the numbers chosen in each of the states being in proportion to the respective numbers of their people as shown by the latest statistics of the Commonwealth; but not less than five shall be chosen in any original state.

House of  
Representa-  
tives.

The first House of Representatives consisted of seventy-five members returned as follows: New South Wales, 26 (now 27); Victoria, 23 (now 22); Queensland, 9; South Australia, 7; Western Australia, 5; Tasmania, 5. Every House of Representatives continues for three years from the date of its first meeting unless sooner dissolved. Electoral



qualifications for both Chambers of the first Federal Parliament were those for the more numerous House of the parliament of the state in which the elector was competent to vote. The qualifications of persons eligible for either House are prescribed by the Constitution. Every senator or member of the House of Representatives must be a natural-born subject of the King, or have been for five years a naturalized subject under a law of the United Kingdom or of a State of the Commonwealth. He must be of full age, and must possess electoral qualification. Since the first Parliament of the Commonwealth was instituted, an Electoral Act has unified the franchise for both Chambers, on the basis of universal adult suffrage.

The legislative powers of the Federal Parliament are extensive, though ill defined, and therefore open to question by the state legislatures; these powers embrace among other matters commerce, railways, shipping, lighthouses, etc.; finance, defence, postal, telegraph and like services; census and statistics; marriage and divorce; emigration and immigration; currency, banking, weights and measures; conciliation and arbitration in industrial disputes. The several state parliaments retain legislative authority in all matters which are not transferred to the Federal Parliament. With respect to Money Bills, the House of Representatives has special powers, and provision is made for cases of disagreement between the two Houses.<sup>1</sup>

The Senate may reject but cannot amend Money Bills; it may also suggest amendments to the Lower Chamber. Should the two Chambers disagree both are dissolved, and if the disagreement continues they sit together and the vote of a clear majority decides.

Any dispute between a state and the Commonwealth is settled by a High Court which is also a Court of Appeal from all state tribunals.

Each of the state legislatures consists of two Houses, the Lower of which is elected by the votes of all adult residents. The Upper Houses or Councils, are nominated for life in New South Wales and Queensland, whereas in the other states they are elected by voters holding a certain amount of property.

<sup>1</sup> "Statesmen's Year Book."

Australian  
Imperialism.

That Australia has ever been willing, nay anxious, to recognize her imperial obligations has been amply demonstrated upon the slightest occasion. After the death of Gordon in the Soudan, both New South Wales and Victoria offered volunteer contingents to aid in the Egyptian campaign; those of the former were accepted, but arrived on the scene of operations only six weeks before the conclusion of hostilities.

Although the outbreak of the Anglo-Boer War found the Australian colonies in the throes of the great and far-reaching constitutional change from state independence to federation, yet each state contributed a quota of men, horses, and war material to the imperial army; Victoria sent 3757 officers and men, New South Wales 6945, Queensland 2756, South Australia 1528, Western Australia 1223, and Tasmania 862 officers and men. Apart from the value of these colonials as fighting units to that side whose rights they were upholding, and this was considerable, the service towards consolidating the Empire is incalculable. The South African War of 1899-1902 may with truth be fixed as the date from which imperial federation is to be reckoned; for it threw together for a lengthy period men from all parts of the Empire under circumstances which strip from a man's character all that is superficial and assumed, and which show him for what he really is, and friendships were made between individuals drawn from the extremes of Empire which are already having the effect of solving the not very difficult problem of closer union.

Abortive  
attempt at  
federation of  
New Zealand.

Although the two larger islands of New Zealand lent themselves to separate political government, the circumstances of their early settlement and the continual menace of the natives compelled the settlers to cling together. The fact, too, that the Home Government recognized it as a single colony assisted in New Zealand retaining its homogeneity. In 1846, however, the Secretary of State for the Colonies, Lord Grey, passed an Act through the British Parliament establishing a new constitution for New Zealand, which divided it into two provinces—New Ulster (the northern half of the North Island) and New Munster (the rest of the colony), each province was to have its House of Representatives, Legislative Council, and Lieutenant-Governor, and in addi-

tion there was to be a General (federal) Assembly of two Houses and a Governor-in-Chief to manage the affairs of the whole colony. This is the only instance on record of an attempt to apply the principle of federation to a British colony without consulting the colonists. It would be distinctly wrong to condemn a progressive experiment made in the interests of the colonists of the Empire by the Imperial Government, for the constitution was never tested; it was condemned before its trial and suspended for six years, and eventually repealed.

During the preliminary negotiations for the federation of the Australian colonies, New Zealand was considered as a probable partner in the proposed federal union, and at the federal convention of 1891 was represented by three delegates. Her distance from a federal capital, a marked contrast in the character of her people to that of the Australians, and a keen desire for absolute independence in the handling of her social problems, made the inclusion of New Zealand in the Commonwealth impossible. Isolated in the southern ocean, at the end of everything and the beginning of nowhere, New Zealand has successfully cultivated a self-reliant character which has only strengthened the loyalty of her people to the Crown of Great Britain and to the imperial idea, and as the furthest outpost of Empire to this British colony belongs the unique honour of having sent her sons the longest sea voyage recorded in ancient or modern times to take part in a war to uphold the sovereignty of the mother country. From October 1899 to the beginning of 1902, New Zealand sent to the South African war no fewer than ten contingents, representing 6513 officers and men and 6662 horses, showing that the adage "out of sight out of mind" does not hold good among the units of the British imperial family.

The ambition for political advancement is present in New Zealand. Although there were no separate states to federate, as had been the case in Canada and Australia, yet that very characteristic of the British race which is destined to bring about imperial federation, the desire of advancing still another stage, brought about the promotion in the imperial family of New Zealand. The advancement may be considered but a sentimental one, yet it is proof of the tendency

Impossibility  
of inclusion  
in the Com-  
monwealth.

Imperialism  
of the New  
Zealanders.

Colony at-  
tained the  
rank of a  
Dominion.

of the units of the Empire. This advancement was made by Letters Patent, which state that His Majesty the King, in accordance with the duly expressed wish of the New Zealand legislature, was graciously pleased, by Order in Council of 9 September, 1907, and by proclamation, to change the style and designation of the Colony of New Zealand to the Dominion of New Zealand. The following year the newly-created Dominion increased her annual contribution of £40,000 to £100,000 towards the upkeep of the Royal Navy.

Closer union  
in South  
Africa.

The conclusion of the Anglo-Boer war of 1899-1902 added the republics of the Transvaal and Orange Free State to the British possessions in South Africa. In May 1906, the Transvaal, and in June 1907, the Orange River Colony were granted responsible government, and, as was only to be supposed, the first general election resulted in the return of an overwhelming majority of Boer members to the parliaments of these colonies. In 1907 the High Commissioner of South Africa issued a memorandum at the request of certain of the political leaders pointing out the dangers of a continued policy of disunion among the four South African self-governing colonies, and strongly advocating their federation. In May 1908, an inter-colonial conference, consisting of three Ministers from each colony, was held in Pretoria, ostensibly to discuss the readjustment of customs and railway rates. At this conference the Boer Ministers moved the following resolutions as to the closer union of the colonies:—

Closer union  
resolutions.

(a) That, in the opinion of this conference, the best interests and the permanent prosperity of South Africa can only be secured by an early union under the Crown of Great Britain of the several self-governing colonies.

(b) That, to the Union contemplated in the foregoing resolution, Rhodesia shall be entitled to admission at such time, and on such conditions as may hereafter be agreed upon.

(c) That the members of this conference agree to submit the foregoing resolutions to the legislatures of their respective colonies, to take such steps as may be necessary to obtain their consent to the appointment of delegates to a National South African Convention, whose object shall be to consider and report on the most desirable form of South African union, and to prepare a draft constitution.



(d) The Convention shall consist of not more than twelve delegates from the Cape Colony, not more than eight delegates from the Transvaal, and not more than five delegates from Natal and the Orange River Colony respectively ; and it shall meet as soon as convenient after the next sessions of all the parliaments, provided that, as soon as at least two colonies shall have appointed their delegates, the Convention shall be considered as constituted.

(e) The Convention shall publish the draft constitution as soon as possible, and shall, in consultation with the Governments of the self-governing colonies, determine the further steps to be taken thereto.

(f) In the Convention the voting shall be " per capita " and not by states ; a chairman shall be elected from the members, who shall have the right of speaking and voting, and, in the event of an equality of votes, shall have a casting vote.

Strong objection was taken by the British section in South Africa to these resolutions, especially in the colony of Natal, for it was realized that as three of the four colonies were ruled by Boer Ministries, the proposed National Convention would be composed of a majority of Boers. In October 1908, the National Convention sat in Durban, Natal, and as was feared consisted of seventeen Boers and thirteen Britishers ; there were also three British delegates from Rhodesia but they held but a watching brief for their territory. The delegates from Natal submitted a draft Bill on federal lines, drawn on the principle of the Canadian Constitution ; in this draft Bill women's suffrage was recognized. In all respects the proposed Bill was an improvement upon both the Canadian and the Australian Constitutions. The Boer delegates, however, favoured a more unitary form of government and one which had as little connexion with the British Crown as possible. The result was that the South Africa Act was agreed to by all the delegates in February, 1909 ; the draft Act created a Parliament consisting of the King, a Senate, and a House of Assembly. The Senate to consist of 40 members, 8 from each of the colonies, which hereafter shall be called provinces, and 8 to be nominated by the Governor-General in Council. The House of Assembly to consist of 121 members appointed as follows :—

National  
Convention.

Terms of the  
South Africa  
Act.

Cape of Good Hope . . . . .	51
Natal . . . . .	17
Transvaal . . . . .	36
Orange Free State . . . . .	17

The title of the Orange River Colony to be altered to that of Orange Free State.

The power of Parliament to be supreme, any radical alteration of the Constitution to be made by two-thirds of both Houses sitting together.

The office of governor of colonies to be abolished and the chief executive officer to be the administrator of the province and to be appointed by the Governor-General in Council. Each province to have its own provincial council, the legislative powers of which are to be limited to purely local matters.

Rapid progress of the movement.

Appeal outside of South Africa is not recognized. On 30 March the four South African parliaments met to discuss this draft Act of Union. The three Boer parliaments of the Cape, Transvaal, and Orange River Colony passed it with little or no discussion. The Natal Parliament insisted upon the question being submitted to the people in the form of a referendum. This was done on 10 June, 1909, and resulted in an overwhelming majority for the draft Act. In August of the same year the Act was passed by the Parliament of Great Britain and therefore became law, and is to come into operation on 31 May, 1910.

Opposition in Natal.

The difference between this union of British colonies and that of previous federations or unions is that the movement in the case of South Africa did not come from the people themselves. The negotiations were started by the political leaders, and were carried on by them with the utmost expedition and without in any way consulting the people, nor had any of the members of these parliaments been returned on the question. The matter was raised for the first time after all the parliaments had been elected, and it was concluded before even a bye-election had taken place. The papers uncontrolled by either the mining magnates or the South African Boers were bitterly opposed to the methods used in rushing a question of such vital import upon the people without consulting them through the medium of a

general election. A very large section of the people of the colony of Natal bitterly resented the attitude of their five delegates appointed by a parliament representing but one-third of the electorate, in consenting to the absorption of Natal by the three neighbouring states. Natal is the only one of the four colonies geographically defined; its boundaries are natural, taking the form of the chain of Drakensberg Mountains or of rivers fordable in few places. Within these well-defined borders is a European population, essentially British in loyalty and ideals, whose characteristics, customs, and very speech is different from that of their neighbours. It is noticeable that even among the educated classes of the Cape, Transvaal, and Orange River Colony bi-lingual speech has affected both languages, and purity of speech is rarely found in these three colonies. But the greatest objection that the British population throughout South Africa had to the draft Act of Union was the fact that it did not provide a constitution for the future government of the new union. It merely provided for the creation of legislative machinery which could at a future date draft such a constitution as a majority determined. The sinister omission of any right of appeal to His Majesty's Privy Council has had the grave effect of disturbing the confidence of the British population in the future policy of their political leaders. It is looked upon as a radical and dangerous departure from all previous charters granted by the Crown, and is a curtailment of the privileges of British subjects in appealing to the Crown itself.

No appeal to  
the Privy  
Council.

The Act by which South Africa is to be governed for the future as a union was drafted in a period of four months, nor was there any future preparation forecasted for the assimilation of four administrations, two European races but lately emerged from a disastrous war between themselves, and a large and increasing native population. Over-anxiety on the part of the Boer population was responsible for the hurrying on of the negotiations, and a desire on the part of the Liberal Government in power in Great Britain to claim the *kudos* of consummating the union was the reason for the Act being rushed through the British Parliament. It is to be earnestly hoped that the future will not bring disaster. Any interference by the Union Government or Parliament with the provincial

Prospects of  
the Union.

legislatures whose powers are so badly defined will mean friction between these bodies, and will end in resolutions favouring secession from the Union and the establishment of crown government. Impatience is bound to be shown by the British population at the administration of a purely Boer Government, more especially as the latter's political creed is that the spoils belong to the victors. There is, however, a very large section of educated and enlightened Boer gentlemen who quite rightly enjoy the confidence of the British population. There are men who, given a free hand by their compatriots and with the assistance of British colonists holding similar opinions, can make the Union Act a powerful instrument for the good government of South Africa. The rapid and successful fusion of these two dominant races in South Africa is far from impossible, but for the presence of the disturbing element—the mining magnate. His influence is always great by reason of his money, which is thrown first on one side and then on the other. To-day a section of the Press controlled by him is advocating British ideals and condemning Boer policy and acts of administration; to-morrow it will be condemning the British and lauding the Boer. This unsettled condition of things has a fluctuating effect upon the share-markets, and millions are annually made by these mining magnates—who are at the same time share speculators—owing to the large fluctuations created by their policy of playing Briton against Boer. Once Boer and Briton come together with the object of governing South Africa upon stable lines, the mines of the country will develop into steady industrial concerns paying regular dividends. The profits would be slow but sure; speculation, and especially wild speculation, on the part of the public would be killed, the large profits made from a panic-stricken public would cease, the industries of the country would develop and progress, and South Africa would enter upon a period of peace and general prosperity and become as strong a unit of the British Empire as those federations that preceded her by but a few years in union. Can it be that a hasty and ill-formed legislative union containing all the tokens of insincerity and ulterior objectives will yet prove a blessing in disguise? The earnest desire to draft a constitution may bring the



leaders of both races together, and their combined strength should overcome and finally eradicate the Machiavelian influence of the mining magnates.

The legislative union of South Africa, be it good, bad, or indifferent, has united the last set of British colonies. The three unions of Canada, Australia, and South Africa have converted eighteen separate Administrations into three Governments. In the cases of Canada and Australia the tendency has not been to develop towards national independence, but rather on the contrary to lean towards a still closer union of the imperial units. The last union of separate units should have the desirable object of removing the final obstacle in the way of imperial unity.

We have seen how the colonists have themselves moved steadily and systematically along lines converging towards union, and how in the fulness of time their efforts, or that of their political leaders, have been crowned with success, how communities with less than a century of political life behind them have developed the highest form of political organism. Now, whilst the colonials have been working out their own destiny in respect to their political life, and have been clearing the way for the final union in Empire, the mother country has been working along similar lines as regards those subject races occupying territory which nature has made unsuitable for permanent European settlement.

The Federated Malay States are perhaps one of the best illustrations of the British imperial policy of centralizing administrations and at the same time giving local autonomy. The four Malay States of Perak, Selangor, Negri Sembilan, and Penang, occupying a large portion of the Malay Peninsula, are under British protection. These states were amalgamated with other states to form a confederation. Residents were appointed in 1874 and were aided by a staff of European officers whose duty was to aid the native rulers by advice and to exercise executive functions. The supreme authority in each state is vested in the state council consisting of the sultan, the resident, the secretary to the resident, and some of the principal Malay chiefs and Chinese merchants. The residents are under the control of the Resident General and the High Commissioner. The laws in force in each state of

Tendency  
towards  
imperial  
federation.

Crown colony  
federations.

Malay States.

the federation are contained in local enactments passed by the state councils. All legislative enactments are submitted to the High Commissioner and the Secretary of State for the Colonies. From any judgment or order of the federal Court of Appeal in any civil matter, an appeal may be made to His Britannic Majesty in Council.<sup>1</sup>

Leeward  
Islands.

Yet another federation of units brought about by the mother country is that of the Leeward Islands comprising the presidencies of Antigua, St. Kitts, Nevis, Aquilla, Dominica, Montserrat, and the Virgin Islands. These islands were formerly separate colonies each enjoying its own government, but in 1871 they were constituted into a single federal colony by Act of Parliament (34 and 35 Vic. cap. 107). The legislature consists of a federal legislative council made up of eight official and eight elective members. The Governor-in-Chief is the president of the federal council. All the islands in the federation excepting the Virgin Islands have local legislative bodies.

In no period of history has the federal principle appeared so active and so successful as it has been during the last half century in its application to the scattered units of the British Empire.

<sup>1</sup> "Statesmen's Year Book, 1909."

## CHAPTER X.

### THE SUBJECT RACES OF AFRICA AND THEIR GOVERNMENT.

ONE of the most intricate problems in imperial government, a problem, too, which makes still more emphatic the urgent need for imperial unity, is the administration of those subjects of the Crown of Great Britain who are still submerged in, or only just emerging from savagery. The intricacy of the problem lies in the different and ever-varying stages between barbarism and civilization found among many of these races. Difficulty of governing the lower races.

The indigenous races of Canada, Australia, and New Zealand are, unfortunately, no longer to be considered as part of this problem. Unable to assimilate with civilization they retired before the white man's advance, and when this was no longer possible they became passive resisters, and pining for the savage conditions contrary to the laws of civilization, their numbers so rapidly diminished that they have to all intents and purposes disappeared from the face of the earth. Both in Canada and New Zealand humane endeavours were made to preserve what were noble races of men. In Canada large tracts of land were set aside as Indian reserves, and the conditions under which those people had lived in the past were adhered to as nearly as possible; but civilization has its curses as well as its many advantages and blessings, and unfortunately the savage instinct, by reason of lack of discipline and its natural licentiousness, more easily acquires the evils of civilization than the good, and it was thus that the extermination of the Red Indian was accelerated. Generations of abstinence had unfitted the people for a sudden unlicensed indulgence in spirituous liquors, hence this, one of the evils of so-called civilization, resulted in the decimation of the American tribes. The greed of the white man encouraged the excessive indulgence in intoxicants among the Decimation of the Red Indians;

natives, and large fortunes were made in the sale of spirits. The mischief had long been done before liquor laws were enacted controlling the sale of spirits to the natives.

and of the  
Maories ;

To a certain extent the same thing happened in New Zealand. It would be impossible to find a finer physical type of men than the Maories, yet as a race they failed to withstand the, to them, injurious effects of civilization. Physically, both the Red Indian of America and the Maori of New Zealand appear to have been well fitted for the reception of civilization. The mental powers, too, of both races were far above that of any indigenous race outside of Europe or Asia ; gifted with sound reasoning powers, their logic was often baffling to their educated conquerors. On the other hand we have a similar disappearance before civilization of the lowest race of human beings yet discovered, the aborigines of Australia. The aboriginal of Tasmania has long been extinct, and it will not be long before the indigenous race has completely died out on the main island.

and of the  
Australians.

Problem of  
the Negro.

But it is with the Negroid races that the governing class is confronted with the problem of administration. Each year the problem is becoming more acute in the United States of America, and there it must either culminate in a war of extermination or end in the segregation of the Blacks in such an area as will allow their free and untrammelled advancement in the scale of civilization.

In the country of his origin the Negro presents a problem for his future government bristling with difficulties and pitfalls. In British South Africa, thanks to the suppression of native wars by the British Government, and the eradication of smallpox ravages by vaccination, the indigenous population doubles itself every eighteen years. To-day the native population south of the Zambesi cannot be less than 10,000,000, or, in other words, there are in this area ten Negroes to one European, just reversing the racial conditions existing in the United States of America.

Bantus in  
Cape Colony.

The Bantu races of British South Africa, being pastoralists and agriculturists, band themselves into small communities occupying very large tracts of arable land. In land their tastes are exceedingly extravagant. Whilst owing to the sparsity of the European population the natives were allowed



a free indulgence in their extravagant taste for land, they were easily and peacefully governed. But the gradual encroachment of the exotic race naturally brought trouble, and numerous wars with the natives ensued. The Cape Colony was the first to adopt a settled policy in the rule of its native population; large tracts of country were set apart for the sole occupation of the natives, Europeans only being allowed within these native territories as traders, as cattle dealers, and labour agents. The passing of the Glen Grey Act initiated the natives into the advantages of local government, and had the effect of breaking up the tribal system. Under this Act the natives became peasant holders. Wise government in the past enacted such liquor laws as prohibited the sale of intoxicants to the natives. Crime was practically unknown. Unfortunately for the natives and for the future peace of South Africa, the greed of the European, having been held in check for over a century, by moral and good government, at last succeeded in breaking bounds, and to the horror of civilized South Africa, in spite of the strongest protest from the natives themselves, from the magistrates and police officers of the native territories, a drinking Bill known as the Light Wines Bill was passed into law by the Cape legislature, a number of the members of which, including the Prime Minister, are wine farmers. The good work of a century is wrecked by the sordid ambitions of a few politicians, whose ambitions rise no higher than the free sale of a so-called light wine, freely diluted with their otherwise unsaleable and poisonous brandy.

The need for a uniform native policy with crown control throughout British South Africa was sadly illustrated during the last four years in the military displays made against the natives in the colony of Natal—wanton displays which might have embroiled the whole of South Africa had there been any disloyalty to British rule in the native mind. It is here that neighbouring states have a just grievance against those neighbours whose native policy is at variance with their own, and it is in the interests and for the safety of each state that there should be a common native policy for British South Africa. The long misrule of the native races of Natal and Zululand, as shown by the report of and the evidence before

Need for a  
common  
native policy  
in South  
Africa.

the Natal Native Commission of 1907, but lately published, emphatically illustrate how dangerous it is to have divided government of the native races of South Africa.

Unjust native  
policy pur-  
sued by Natal.

The European population of Natal has during the last eight years considerably diminished, whilst, on the other hand, the native population has increased, and the proportion to-day stands as one to eleven. The government of this large native population of 1,000,000 was, prior to the Union Act of 1909, in the hands of a white population of at most 85,000; but it must be pointed out that this native population was not governed by the representatives of the 85,000 Europeans, but by the representatives of a very small minority. The effective electorate of Natal was in 1903-06 but 15,152 voters, of whom 5424 sent twenty-eight (or two-thirds of the representatives of the colony) to Parliament; the remaining one-third, or fourteen members, were sent there by two-thirds (9628) of the colony's electorate. It will, therefore, be seen that the native population of Natal, Zululand, and Amatongaland were actually governed by but one-third of the voting electorate. As the result of this faulty representation the statute book of Natal up to 1908 lacked one single Act benefiting the native races, yet, on the other hand, it contains no fewer than forty-seven Acts affecting the natives, but all of a repressive nature. In 1908, however, a Native Administration Act, based on the Glen Grey Act of the Cape, was passed. If the mischief which this unjust native legislation may yet bring about, if the unrest which may ensue were to be borne by those directly responsible for it, then the punishment is merited; but, unfortunately, the mischief affects every part of South Africa alike, and nine-tenths of the Europeans have to bear the brunt caused by the errors of the remaining tenth, without having any say in the matter until called upon for men and money.

The absolute incapacity of successive Ministries of Natal to administrate for its huge native population brought about a state of affairs dangerous to the whole of South Africa. A condition of things existed which, in view of the political status of Basutoland and Swaziland, affected the Imperial Government almost as closely as it did the colonies themselves.

One of the causes of the native unrest of 1906 in Natal was the hasty imposition of the poll tax. The native did not object so strongly to the amount of the tax as to the term "poll tax"; this he looked upon with suspicion. It might here be pointed out that the average amount paid in rent and taxes by the native in Natal is far from light when compared with his earning power. Owing to the passing of the arable lands of Natal into the hands of the European (individuals and land companies) three-fifths of the natives have to squat on privately owned land, and this has grown to such an extent that quite a number of Europeans draw their revenue from native tenants. The native pays from £2 up to £6 per hut per annum, and the occupants are limited to four per hut. The average native family occupy two huts, the rent and taxes to be paid are:—

	To European Owner.	Government Tax.
Hut No. 1 . . .	£2 0 0	£0 14 0
Hut No. 2 . . .	2 0 0	0 14 0
Dog tax . . .	—	0 5 0
Wood cutting . . .	—	0 5 0
	£4 0 0	£1 18 0

At first sight this does not appear excessive, but under the law of the colony the native tenant is not allowed to seek employment without a pass from the owner of the farm; the owner is naturally an employer of cheap labour and insists on the native working on the farm. In support of these statements may be quoted a few extracts taken from the evidence given before the Natal Native Commission of 1907.

Page 761—Chief Somdala states: "He had nothing but approval for the hut tax. It was, he thought, right that they should pay tribute to the Government; they used to do that under their own system of living, inasmuch as, when killing a beast they would take the flesh known as the 'Insonyama' and deliver it to their chief." They "complained, however, of the exorbitant rental. Moreover, there was insufficient land belonging to Government on which they could reside. Their kraals furnished labour. He did not complain of that. What he did complain of was that all their children should be obliged to work; even their women were called out, and

Report of  
Natal Native  
Commission.

they too, the men, were compelled to turn out. If only one's children worked he would say it was all right; there were people belonging to his tribe living on private farms who had no guarantee whatever as to the amount of rent charged; the rent was constantly increasing to £3, £4, £5, and even £6.

"Europeans were very impatient as to the rent. If a man was unable to pay, they run off and get a summons against him and the cost on such a summons goes on mounting up in such a way that a man is obliged to go on all his life struggling to pay off that one debt. That sort of thing was worrying them because they no longer had any cattle. The lawyer caused his money to bear interest and he did this even if the debtor was anxious to pay back what he originally borrowed."

Page 781—Qobozela (chief Mali) said "he was in trouble because he had no land to live on. He and his tribe were living on private farms, some paying £2, others £3. They had also to render service, receiving as wages 8s., the top wages being 10s. Boys and girls receive 4s."

It will be seen from the foregoing extracts that the native pays in rent and taxes just as much as it is possible for him to earn by working all the year round for the owner of the farm who is also his landlord, that is providing the rent is as low as £2 per hut, but there are few farmers letting huts at that rental, and it is safe to fix the average at £3 per hut.

Unfortunately, ever since the European occupation of South Africa, our policy of governing the ever-increasing native population has been one of *laissez faire*. Whilst the natives are ruled in the Cape, Orange Free State, and the Transvaal with a certain amount of firmness and with a show of justice, yet the fact remains that the lack of a common policy for the governance of the native races throughout British South Africa is the cause of restlessness and suspicion to the native and opens the door to injustice on the part of irresponsible officials or parochial politicians.

As an instance of the many acts of injustice meted out by officials during the late native unrest, one need but quote again from the evidence adduced before the Native Commission of Natal.

Page 808—Gwebu stated "he was a telegraph messenger,



and whilst engaged in this work his five head of cattle were seized on account of the action of his chief, Charlie Fynn, who was accused of being seditious. A big fine was inflicted on that chief, and witness's cattle were swallowed up along with those of others. At the time of seizure, the cattle were running at witness's home. The people were at first told to pay one beast each, and after all kraal heads, including his brother, had furnished a beast the soldiers came and took the whole of his. Witness considered it unjust that his cattle should be taken from him in this manner, especially as he was a government servant and at the time they were seized was engaged in government duty."

Damning  
evidence of  
injustice.

The evidence, as published, given before the Native Commission is a most damning indictment of the misrule of a section of the native race of South Africa by a small and incapable Government, and it is at the same time the most emphatic plea for a uniform native policy.

What are the so-called grave difficulties confronting this native problem that successive Governments are content to shelve it as a legacy for their successors? We are told that the most formidable is the question of the native franchise. The Cape with its 25,000 native voters (one-fourth of the electorate) is rightly held up as an example to be avoided by the rest of South Africa; but does the native want the franchise? To my mind it is representation that he calls for, and which, if given, would in itself once and for all solve the vexed question and set at rest the cry for the franchise. This representation might be so given that the native would morally and materially assist the dominant race to work out his own salvation. The form that suggests itself is a council of Europeans nominated by the Governor-General in Council for a period of years, and an elective assembly of natives, elected by a franchise of their own, whose duty would be to advise the council on all native measures; by making such an assembly elective we should be satisfying once and for all the native clamour for the franchise, and we should be at the same time granting him a voice in his own affairs, keeping him from meddling in ours, at the same time giving him justice; further we should be strengthening our own position in this country by making him a powerful and active ally in

Solution of  
the native  
franchise  
question.

our governance of his race, and at the same time find him his proper place in the Union of South Africa.

Natives under  
the Union  
Parliament.

The Act of Union does not promise any improvement on the present unsatisfactory administration of the native races of South Africa; on the contrary there is every prospect of a reversion to the native policy of Krugerism. The draftsmen of the Act of Union appear to have purposely avoided two of the most debatable questions of South African policy, viz. the European franchise and the native question. The troubles of South Africa since European occupation have centred around these two questions. The Act of Union should have placed them upon a sound basis instead of leaving them open for future acrimonious debate, and as levers to be used for party government; the Act of Union provides that the native of the Cape already enfranchised shall exercise his vote for the Union Parliament, but that only persons of European descent shall be eligible as members of that parliament. On the other hand, it sanctions the native contesting a seat in the provincial council of the Cape, yet the natives of the other three contracting parties, the Transvaal, Orange Free State, and Natal are disallowed a vote either for the Union Parliament or the provincial councils. This differential treatment between some 5,000,000 of the indigenous race, strikes at the very root of union. The anxiety of the dominant political parties to secure the absolute governance of the whole of South Africa whilst the opportunity existed was so great that the future welfare of the native was sacrificed. Under federation a modified form of native franchise could have been granted for the state assemblies without affecting the principles of federal union. That no serious attempt to place the native question on a sound basis is contemplated, and that the native population of South Africa, outnumbering the whites by approximately eight to one, will become the shuttlecock of party politics, is made clear in the Act itself, for under Section 23 provision is made for the appointment of eight senators by the Governor-General in Council. Four of these are to be "selected on the ground mainly of their thorough acquaintance by reason of their official experience or otherwise with the reasonable wants and wishes of the coloured races in South Africa".

Therefore it will be seen that in a parliament of 161 members, the native population of over 5,000,000 is but recognized to the extent of four senators, and these only appointed by reason of their knowledge of the native wants. No provision whatever is made for the voicing of those wants. The native is to all intents and purposes as unrecognized as he was in pre-war days in the Transvaal and Orange Free State. It is here that trouble is bound to arise. The Imperial Government cannot neglect its duty to the indigenous races of South Africa, nor can it sanction a policy of administration which is not founded upon justice. It will be remembered that the policy of might as against right, followed by the Cape Government in the administration of Basutoland, brought about the Basuto War of 1880; it resulted in an inglorious peace for the Cape and the handing over of Basutoland to the direct administration of the Crown. Since then the Basutos, perhaps the most warlike and best-equipped native race in South Africa, have been among the most loyal subjects of His Majesty. The chief reason for this is that they are allowed a voice in their own government, nor have they ever abused the trust placed in them. The natives of South Africa, in asking for a say in their own government, are not asking for that franchise which would give them a voice in the government of the Europeans. Representation, not responsibility, is all they ask for. The leaders among them realize that 90 per cent of the natives are yet in a state of comparative barbarism and are irresponsible, but yet they would be invaluable in an advisory assembly such as that suggested.

The government of the native races under the Act of Union as it now stands will bring trouble, for it suggests that they are to be the playthings of party policy. There will be no stability of their political status if any is ever given them. To-day the Head of the Ministry may be a Boer with an innate hatred of the Black. To-morrow he may be a mining magnate who considers the native race as the legitimate labour of the mines and will therefore legislate with that object in view.

It appears that it would have been wise statesmanship had the Imperial Government removed the government of the native races of South Africa from the hands of the colonials <sup>Crown government would have been preferable.</sup>

for a period of ten years, and during that time created native assemblies, but with no responsibility, elected by a native franchise ; that is, to have extended throughout South Africa the system now in force in Basutoland. But by making the assemblies elective the system would have been an improved one. At the end of ten years South African statesmen would have settled the many grave problems that now beset them, and would then be ready to take over the administration of the native races on the lines laid down by the Imperial Government. This policy would have created confidence throughout the native races in South Africa. With the passing of Basutoland and Swaziland into the hands of the Union will also pass the imperial factor from South Africa. There is, however, an alternative, and that is the serious contemplation of imperial federation, and with it the creation of an imperial legislature, which will number among its special functions the uniform administration of the indigenous races of the British African colonies and possessions. The rapid increase of the Negro population of the South, East and West African colonies and British possessions: the continual increase taking place among the same race, descendants of the slaves, in our West Indian islands is in itself sufficient indication that the problem of their good and just government can be no longer neglected. There are those among colonial politicians who refuse to acknowledge the working of the law of evolution among these people. They would make us believe that these many millions of people, daily coming more and more in touch with civilization, are to-day and will ever remain in that state of placid savagery which they were in half a century ago, a state that called for no exertion in administration. Yet evolution is doing its work. The returns from the native schools, the increase in native newspapers, the increasing number of native graduates from English, American, and colonial universities, and the increase of crime, peculiar to civilization, all prove, what history has always proved, that you cannot keep a people in a constant state, and being a physically fine race and an increasing one, it might just as well be hoped to stem a rising tide as to bar the progress of the native races of Africa. Faulty legislation has in many ways worked evil

Inevitable  
progress of  
the Negro.



among these races, especially so where the greed of the governing class has introduced cheap indentured labour from Asia; a mixture of races has resulted. This in itself is highly undesirable, but as the imported stock was mostly of the criminal and indigent class, a bad blood was introduced. This is especially noticeable in British East Africa and Natal, where labour from India has been freely imported, and in the Transvaal where Chinese coolies of the criminal class were used for the mines. The evil effects of the introduction among a pure-blooded people of a degenerate race has been incalculable, and the misrule which allowed it must be laid at the door of a disjointed system of government precluded by the absence of an imperial legislature from taking a purview of the Empire as a whole.

Evil results  
of past in-  
terested legis-  
lation and  
administra-  
tion.

## CHAPTER XI.

### THE INFLUENCE OF SEA POWER UPON IMPERIAL GOVERNMENT.

Paramount  
importance  
of sea power  
to Great  
Britain.

GREAT BRITAIN and sea power are synonymous. The growth of the British Empire from the most insignificant looking spots on the map of the world is due to seamanship, the individualization of sea power. As sea power was responsible for the acquisition of the Empire, so too has it been responsible for its retention. Oversea possessions of England and of Great Britain date only from such time as she has been able to uphold her claim as sovereign of the seas; when once she fails in this the dismemberment of the British Empire must quickly follow. But the supremacy of Great Britain at sea, besides being essential for the retention of her oversea possessions, that is, those scattered units which go to make up the Empire, is also absolutely necessary for the livelihood of the 45,000,000 people inhabiting the limited area of the United Kingdom. It does not call for large expenditure in blood and money on the part of a continental power or combination of powers in an invasion of Great Britain to strike at the heart of the British Empire. It is alone necessary to wrest from her that dominance of the seas she now enjoys, a heritage handed down and added to through many generations of Englishmen, and whose most serious enemy has been political expediency. England defeated at sea, a blockading fleet and starvation will do the rest.

A common error, suffered under by a large proportion of the inhabitants of Great Britain, is that the heavy burden of naval expenditure is due to imperial obligations, that the dismemberment of the Empire would mean a heavy decrease in naval expenditure. As a matter of actual fact, if Great Britain surrendered every foot of land beyond her own shores she could not afford to give up one single torpedo-destroyer.

The daily bread of her inhabitants is solely dependent upon her naval supremacy, and this once surrendered the British nation will be as scattered as the tribes of Israel.

For the fate of the British Empire, with the loss of her maritime supremacy, we have ample illustrations in the fate which has successively overtaken those empires and nations of the far and immediate past, whose rise and development, like that of Great Britain, was directly or indirectly attributable to sea power. In no case do we find that sea power changed hands at a time when the vanquished were at the zenith of their power, the maximum of efficiency had been passed. Either national indifference or political corruption had allowed the fleets to be depleted of ships and men, an ever-watchful enemy was quick to seize an opportunity of overthrowing the until now hateful mistress of the seas, only in turn to meet a similar fate at the hands of an unsuspected and despised rival for what stands for the sovereignty of the world.

No empire of importance has been built up and kept for any time except by sea power, yet no nation has been so completely dependent upon sea power for its very existence as is the British nation to-day.

It has been observed by the historian Hume that actions at sea are seldom, if ever, so decisive as those on land. This observation was suggested by the repeated indecisive actions between the English and Dutch in the reign of Charles II. Here we find a famous historian strangely confusing cause and effect. Had he but traced backwards from such decisive land actions as have made or saved a nation, or an empire, he would have discovered a naval engagement which had cleared the way for the land battle which is but the *coup de grâce* of an action fought at sea, it may have been years before. It was the battle of Trafalgar which not only at once secured the independence of England and destroyed all Napoleon's hopes of maritime greatness, but annihilated for half a century the Navies of France and Spain. The losses sustained by Napoleon in the Moscow campaign were repaired in six months, although 400,000 men perished. But from the defeat of Trafalgar the French Navy never recovered, and from then the way was clear for British imperial expansion.

Naval battles  
are of a de-  
cisive char-  
acter.

Sea power  
among the  
ancients.

Marathon is recorded as one of the world's decisive battles ; but neither this land victory nor the immortal defence of Thermopylæ stayed the Persian advance, and when the enemy entered Athens the citizens had fled. The fate of Greece was entrusted to their navy, and no battle by land or sea has proved more decisive than that of Salamis. Did not the result justify the great monetary sacrifices we are told that the Athenians made in making that navy efficient ? Salamis gave the Athenians the command of the sea, and Xerxes, finding his communications threatened, at once retreated across the Hellespont. The following year his commander-in-chief, Mardonius, was defeated at Plataea. Salamis had prepared the way for Plataea just as twenty-three centuries later the naval action of Trafalgar prepared the way for Waterloo. The grave danger but narrowly escaped drove home to the Greeks the paramount importance of sea power, and they set to work to organize their fleets. This resulted in the naval confederacy of Delos, a union of the Ionians for common defence against a common enemy. It was now that Greece entered upon a somewhat brief career of empire, the influence of which travelled through centuries. The principle that empire must be founded upon sea power was then understood even more clearly than it is to-day, for Thucydides tells us that " The reward of her superior training was the rule of the sea—a mighty dominion—for it gave her the rule of much fair land beyond its waves, safe from the idle ravages with which the Lacedæmonians might harass Attica, but could never subdue Athens ".

Greek  
colonies.

Although the colonial system of Greece stands nearer to that of Great Britain than any other which history records, it suffered under such inherent weaknesses as forbade Greece and her colonies standing as an empire or even as a confederacy of states for any time. Many of the Greek colonies owed their origin to civil dissensions at home. They started political life as independent states, and the bond of union with the mother country was barely one of sentiment. So slight indeed was the tie between one another and the parent state that self-interest often impelled them to war against each other or against the mother country. As it was from the naval supremacy of Athens that the Greek colonies sprang



up around the Mediterranean, it is only to be supposed that the colonies should themselves inherit the maritime instincts of the parent state, and such indeed was the case. But the lines upon which this developed was the very cause of the Athenian Empire being so short-lived. Each colony, as it developed its maritime trade, was impelled to maintain a navy as a safeguard to the commerce upon which its prosperity depended; but each navy was independent of that of the parent state, and developed independently of the navies of the neighbouring states. Hence we find many of these Greek colonies devolving into states hostile to each other. Whilst the feeling of dependence upon the mother state for naval defence existed there was a bond of union between the parent and the scattered parts; but so soon as the navy of each state felt itself strong enough to defend its state then the sovereignty of Athens was repudiated. At the very time it was most wanted the political genius of the Greeks, so conspicuous at earlier stages of their history, appears to have failed them. Here we find an empire, not unlike our own in many respects, develop to that stage at which the federal principle could have been applied to the units of that empire. At this stage in development it hung for a short period and then state after state, each feeling that its individual sea power was sufficient for its own protection, fell away, and so adopting an independent policy developed nationalism as against imperialism, and so they all became foreign to each other.

Separate  
navies.

Had the Athenian statesmen adopted the policy of responsibility for the naval protection of the colonial commerce as well as for their own, had they made by such a policy independent navies unnecessary, but called for contributions from the colonies either in men or money, and thus built up a strong imperial navy, the units of this ancient empire would have been cemented so closely together that its life would have been prolonged by many centuries.

That many of the colonies or offshoots of the Greek states desired a closer union with the parent stock, and that they fully appreciated the relationship that should exist between mother country and colony, is fully demonstrated in the description given by Thucydides of the successful appeal made by delegates from the colony of Corcyra to the general

assembly at Athens for naval assistance against the Corinthians. These delegates, in addressing the assembly, said: "If, farther, they tax with a breach of justice your presuming to interfere with their colonies, let them learn that every colony, whilst used in the proper manner, payeth honour and regard to its mother state, but when treated with injury and violence, is become an alien. They are not sent out to be the slaves, but to be the equals of those who remain behind."<sup>1</sup>

At the same assembly these delegates a little later on referred to the importance of sea power in these words: "The bad consequences of rejecting a land, cannot be equal to those of rejecting a naval alliance; especially to you (the Athenians), who should exert your utmost efforts to let none be masters of a fleet beside yourselves; or, if that be not feasible, to make the most powerful, in that respect, your fast allies".<sup>2</sup>

Cause of disappearance of Greek Empire.

Salamis made Athens mistress of the seas, and the naval confederacy of Delos enabled the several Greek states by holding the command of the then known seas to ensure the safety of such colonies as were planted around the Mediterranean. It was solely due to the sea power of Greece that these colonies ever came into existence, and it is just as true to state that it was due to the neglect of the parent states in retaining in their own hands and consolidating their navies, and thus retaining under a single head their sea supremacy, that the Grecian Empire was so short-lived.

Growth of Roman sea power.

The teachings, by precept and practice, of that apostle of sea power Themistocles had not been lost upon the statesmen of the Roman commonwealth. In the year 267 B.C., the Romans realized the growing power of the Carthaginians at sea. So engrossed had Rome until now been in developing her continental possessions, that she had been content to rely upon allies and subject races for such maritime service as was required. She had conformed to the provisions of a treaty signed with Carthage as far back as 509 B.C., which forbade Roman ships to sail to the south beyond a certain promontory. Nor could the Romans trade with the dependencies of Carthage, and under this treaty the Carthaginian sea power had grown. Yet Rome had natural maritime advantages, though they had

<sup>1</sup> Thucyd. i. 24.

<sup>2</sup> Ibid.

been neglected. At last (267 B.C.) her statesmen realized that if Rome was to become an empire, the mistress of the then known world, she would have to wrest the command of the seas from Carthage. Roman statesmen anticipated the German naval policy of to-day as against Great Britain, and immediately set about reorganizing the Navy. Four *Questores classis* or port admirals were appointed, one to each port, a vigorous building programme was entered upon, and it was not long before a navy was built able to recover Roman independence at sea. The navy had hardly been built when the First Punic War broke out (271 B.C.). Historians are apt to place greater importance on the Second Punic War, and greater consideration is given to it than to the first; yet the Roman Empire was assured not by the second war but by the first. Here again we find confusion between cause and effect. The battle of Metaurus is accredited by Sir Edward Creasy and other able historians as being the decisive battle which secured the sovereignty of the then known world to Rome; the result at the Metaurus was only made possible by an apparently insignificant sea fight during the First Punic War many years before. It was the victory of Catulus over the Carthaginian fleet off the Aegatian Islands that gave to Rome the command of the sea and enabled her finally to overthrow Carthage by land. Upon the outbreak of the First Punic War, brought about undoubtedly by the determination of Roman statesmen to overthrow Carthage before she became too powerful—we see a similar determination in Europe to-day—the Roman fleet, now reorganized, was able to cut off the maritime communications of Tarentum and to close effectually the Adriatic against fleets coming from Epirus. The First Punic War was a contest between these two powers for the command of the sea. It was a great, occasionally interrupted and prolonged struggle, ending as was but to be expected in favour of that power possessing the greater natural maritime qualities. The victory of the Roman fleet under Catulus decided the war, and gave to Rome the important island of Sicily and the command of Sardinia and Corsica.

Upon the outbreak of the Second Punic War, Rome held the command of the sea.<sup>1</sup> Therefore Hannibal was driven to

First Punic War.

Second Punic War.

<sup>1</sup> Mommsen, Vol. I., p. 427.

the perilous and almost ruinous march through Gaul and across the Alps, losing over 50 per cent of his army from privation. Not alone did the sea power of Rome drive the Carthaginian general to make an exhausting march, but this sea power enabled the Romans to transport without any loss a large consular army and establish it on Hannibal's line of communications,<sup>1</sup> and yet another army transported in sixty ships was sent to Sicily.

Sea power  
gave the  
Romans an  
immense  
advantage.

Hannibal's communications having been cut, and as the Roman fleets prevented supplies reaching him either from Carthage or Macedonia, he was driven to living off the country, an expedient which hastened his eventual retreat from his threatening vicinity to Rome into Southern Italy. This position enabled him to use Spain as his base; but not for very long, for Cnaeus Scipio took 20,000 men by sea, defeated Hanno, and occupied both the coast and interior north of the Ebro. Again by naval supremacy were Hannibal's communications cut, and reinforcements from Hasdrubal stopped. The next step in this protracted war was taken by the Romans in making a naval base at Tarragona. This confronted Hasdrubal's base at Cartagena, and enabled the Romans to carry the war into the Carthaginian dominions. Whilst the Romans were effectually cutting off reinforcements for Hannibal's army in Italy, by means of their sea power, this army was dwindling from losses by sickness and desertion. When the war had lasted nine years the Romans under the younger Publius Scipio made a combined military and naval attack upon Cartagena, and succeeded in carrying this important base. Hasdrubal now hurried north, crossed the Pyrenees at their extreme west, and passed on into Italy with the object of combining forces under his brother. But the sea power of Rome had already told against even the superior military genius of the Carthaginian generals, and the strength and efficiency of their armies were weakened; for the cutting of communications, the stopping of supplies and reinforcements, and the continued harassing, the naval supremacy of Rome was mainly responsible. The final strategic position of the Roman armies was only made possible by Rome's continued command of the sea. The upshot was that the two Roman

<sup>1</sup> Mahan, p. 15.



armies combined against Hasdrubal, whilst he was still 200 miles from his brother Hannibal. The battle of the Metaurus was fought, the Carthaginian army destroyed, and Hasdrubal killed.

For more than three years after his brother's defeat Hannibal maintained himself in Italy. It was, however, only the extreme south of the peninsula, the mountainous country of the Bruttii, that he held.

The sea power which enabled the Romans eventually to defeat the Carthaginians in Spain and Italy, empowered them to invade Africa. In 204 B.C. Scipio commenced this invasion from Sicily. He began the siege of Utica, but was compelled to raise it and to retire to a strong position on the sea-coast where he was protected by the united strength of his fleet and army. After receiving two serious defeats at the hands of Scipio, the Carthaginians recalled Hannibal and the remnants of his army from Italy.

It has been said by many historians that Hannibal was defeated, not by the Romans, but by the Carthaginian Senate. This dictum is founded upon an irresponsible passage of Livy, "gnashing his teeth and groaning, and scarcely able to restrain his tears," he answered the envoys of the Carthaginian Senate: "They call me back at last in plain words; but they have long since implicitly called me by refusing me reinforcements and money". The reinforcements necessary for him to have taken Rome were in Spain but could not reach him, as has already been shown. Nor would it have been possible for reinforcements to have been sent him from Carthage by sea in face of the Roman fleets which held the seas. It may be truthfully said that Hannibal was not defeated by the Roman legions but by the Roman Navy.

Hannibal was defeated, not by the Army, but by the Navy of Rome.

Upon his return to Carthage, after an absence of thirty years, Hannibal assumed command of the Carthaginian army and marched against Scipio. The great battle which brought the Second Punic War to an end was fought at Zama and ended in the defeat of Carthage. The terms of peace fixed by Rome provided for all ships of war, except ten, to be given up. It has been considered necessary to cite these ancient examples of the importance of sea power, as when compared with more modern examples, it will be all the more readily

Command of the sea in mediaeval times.

understood that sea power is the only foundation upon which an empire can be built, if it is to exist for any time. For over 2300 years the command of the sea meant little more than the command of the Mediterranean, and it is only within comparatively recent times that the term has had a wider significance. And it may be as correctly stated that Great Britain was the first, and so far the only power, to hold the command of the oceans. During the Middle Ages we find a continual struggle for the command of the sea going on between the Italian republics of Venice, Pisa, and Genoa. The inhabitants of these states were closely allied in race, religion, and language, yet rivalry in maritime commerce, as was the case with the ancient Greek states, brought into being independent navies which developed antagonisms resulting in a prolonged and costly struggle for the command of the sea. This struggle between people who, strictly speaking, were of one nation, lasted for over three centuries, at the end of which period Venice held the supremacy, but was so exhausted that in 1470 the Turks for the first time equipped a fleet with which they drove that of the Venetians out of the Grecian seas.<sup>1</sup> The naval supremacy of the Turks was short-lived; the important naval action of Lepanto again placed the command of the seas in the hands of the Western races. Historians appear to have lost sight of the factor which brought about the result of a battle for the supremacy of the then known world between West and East, between Christian and Mohammedan. The discovery of the route to India by the Cape of Good Hope dealt a blow at Mohammedan sea power. The Portuguese swept their merchant ships from the Indian Ocean. This action impoverished the tyranny of Constantinople and the Turkish Navy suffered. It was still staggering under this blow when it met the combined fleets at Lepanto.

Maritime  
history of  
Portugal and  
Spain.

To the Portuguese, then, belongs the honour of extending the sphere of sea power beyond the immediate vicinity of Europe; but the character of their people precluded them from ever holding the command of the seas. They were the first Europeans to navigate in the face of European competitors. The Portuguese, like their immediate neighbours,

<sup>1</sup> Sismondi, p. 256.

were not a provident people; excitable and of a speculative nature, they were highly adventurous. The attraction of precious stones and metals took them long voyages, and their energies were dissipated. In their greed for gold they neglected those very industries upon which sea power depends, and beyond indirectly contributing to the defeat of the Turks at Lepanto, they stand out as a maritime race without a naval battle of importance to their name. In much the same way the Spaniards were noted as pioneers of navigation, as great discoverers, yet Mahan remarks that "Since the battle of Lepanto in 1571, though engaged in many wars, no sea victory of any consequence shines on the pages of Spanish history".<sup>1</sup> It cannot be said of either Portugal or Spain that they ever held the command of the sea. Long before the defeat of the Spanish Armada off the shores of England, English ships had been preying upon Spanish galleons. The mines of Brazil attracted such numbers of Portuguese that it was impossible for the fleets to retain seasoned seamen, and the mines of Mexico and Peru had the same disintegrating effect upon the fleets of Spain. The British and the Dutch, on the other hand, were well pleased to receive the bulk of the wealth of these mines either in exchange for commodities or by seizure on the high seas, either course being an incentive to sea power. That the wealth of these mines was purely fictitious, and indeed harmful to the character of the people, is exemplified by the fact that in fifty years Portugal obtained £100,000,000 sterling, and at the end of that time she only retained £5,000,000 sterling in specie. Much the same condition of things was to be found among the Spaniards—their industries were neglected, their lands abandoned. The previous roads to comfort or wealth, the travelling along which moulds the character of the people, were now too slow. The excitement rapidly caught a naturally excitable people, and in their intoxication they cast aside those national duties the momentary neglect of which diverts the course of history.

The history of the sea power of Spain is similar in many respects to that of Portugal. Intrepid navigators, they extended the field for the Dutch and British to labour in. The

Their wealth was the prey of Britain and Holland.

<sup>1</sup> "Influence of Sea Power upon History," p. 50.

greater portion of the wealth obtained from the mines of Peru and Mexico found its way either legitimately or illegitimately into the hands of the adventurous sailors of Britain or Holland, who sought this wealth on the high seas rather than in the mines or pestilential swamps of South America. The sea power of these two nations grew and flourished at the expense of the discoverers and rightful owners, a people, however, who through excessive greed and cupidity forfeited consideration. So obsessed were they with the desire for rapid wealth that they neglected all thought of its defence and security when once obtained. Therefore each year they became an easier prey for their maritime competitors and frequent enemies, the British and the Dutch.

Sea power of  
Holland.

The growth of the sea power of England and of Holland took place side by side, and the conditions which brought about this growth were similar. England by reason of her complete insularity, larger seaboard, and the character of her people, had an advantage which told in the long run. Yet Holland was almost an island. The sea, broad and deep rivers, mighty inundations only held back by hand-built dykes, made its people essentially maritime. It has already been remarked that the Dutch by reason of the poverty of their soil and its limited area had been driven to the sea first as fishers, from which they developed first into commerce carriers which took their seamen to all parts of the world, then they became a great maritime people, eventually holding for a short period the command of the sea. But their rivals were marching almost abreast of them. The character of these two great naval nations, England and Holland, approximate very closely. The Dutch perhaps lack the fire, energy, the lofty spirit and great aspirations which have been communicated to the British by the Danes and the Normans; yet they possess the perseverance and industry, the honesty and good faith, the love of freedom and spirit of order, which, even more than their courage and capacity, are destined to give the Anglo-Saxon race the domination of half the globe. For centuries Holland stood, as Great Britain does to-day, a monument of sea power: "Achievements so wonderful, a history so glorious, could have been brought about, in a country enjoying so limited and sterile a terri-

Dutch great-  
ness, pro-  
sperity, and  
civilization.



tory, only by the energies of commercial enterprise and the resources of maritime wealth. It is the merchants and sailors of Holland who have in every age constituted alike in peace and war the strength and sinews of the State. For centuries they engrossed nearly the whole carrying trade of the world; the vast colonial empire of Great Britain, and the disasters of the Revolutionary War, alone wrested it in part from them during the late conflicts. The merchants of Amsterdam numbered all the sovereigns of Europe among their debtors. All the luxuries of the earth were wafted to their shores by the sails of their commerce; and the commercial influence of a state so small as to be scarcely distinguishable in a general map of the globe, was felt from one end of the world to the other. They have no vines, but they have more wine in their cellars than is to be found in the magazines of Bordeaux; they have no woods, but there is more timber in their dockyards than in the forests at the source of the Rhine and the Moselle; they have few arable fields, but they have more corn in their granaries than the inhabitants of Poland consume. More marvellous still, in the midst of this opulence produced by commerce there is hardly a beggar to be seen, nor a house in which there is a brick out or a pane broken.”<sup>1</sup>

Strange as it may appear, the commerce of Holland increased year by year during the protracted life-and-death struggle with Spain. The close of the sixteenth century saw her mercantile marine the chief carriers between the southern and northern parts of Europe. But twenty years before this (1580) the Dutch entered seriously upon trans-oceanic commerce. In that year the merchants of Amsterdam formed an association called the “Company of Distant Countries,” and dispatched four small vessels to the East Indies. The reports brought back of the riches of the East encouraged the Dutch to persevere. Several trading companies were formed, and in one year (1598) no fewer than eighty vessels, in squadrons of from four to eight vessels, completely armed, were dispatched to various parts of the world. Before the truce of 1609 these various trading companies amalgamated and formed the Dutch East India Com-

Dutch  
plundered the  
Spaniards.

<sup>1</sup> Allison, “History of Europe,” Vol. III, p. 161.

pany, and although still at war, the sea power of Holland was such that this enterprising company of merchant sailors was able to place settlements along the coasts of Asia from Bussorah on the Persian Gulf as far as Japan. They founded Batavia in the island of Java. This company was empowered by its charter to appoint governors, administer justice, build forts, raise troops and carry on war on its own account. During the twelve years' truce, from 1609 to 1621, the attention of the Dutch was concentrated even more than during war upon money-making; consequently the commerce of the Netherlands still increased. This truce had also enabled the Spaniards to develop their mineral resources in the Americas, so that when hostilities were resumed the leading Dutch merchants anticipated great profits from attacking the commerce and colonies of their ancient enemy. Nor were they disappointed. "The Dutch rapidly swept the Spanish warships from the seas and plundered the Spanish coast, and the Spanish and Portuguese possessions; for Portugal remained until 1640 a dependency of Spain."<sup>1</sup> But whilst the strong commercial instinct of her citizens was responsible for the development of the sea power of Holland, for the acquisition of her colonies and for the high place which she held for a short period among the nations, the over development of this commercial instinct was the primary cause of the loss of her command of the sea, the decline of her sea power, the seizure of many of her colonies, and the decay of her mercantile marine. In planting colonies the Dutch never sought an extension of empire, but were actuated merely by the sordid motive of acquisition of trade and commerce. Hence there was lacking in these settlements any principle of growth. Success in their commercial enterprises made the Dutch more and more mercenary in all their undertakings, and estranged them from their allies, the English and the French. It had been the policy of both England and France, both sufferers from Spanish menace and intrigue, that the United Provinces should be strong and independent. When Spain had withered under the sea power of Holland, France coveted the Spanish Netherlands, and England the trade and sea dominion of Holland. The

Decline of  
Holland,  
owing to ex-  
cessive com-  
mercialism.

<sup>1</sup> Ellis Barker, "The Rise and Decline of the Netherlands," p. 187.

mercenary and sordid conduct of the Dutch dispelled any scruples those two old allies may have felt in furthering the decline of Holland. When James I, owing to his extravagance, found himself pressed for money, the Dutch statesmen took a mean advantage of the King's necessity and lack of business acumen. It was proposed to him that he should surrender the three cautionary towns of Vlissingen, Rammekens, and Briel, held as security for a loan of 8,000,000 florins granted the Dutch by Elizabeth, for an immediate payment of 2,728,000 florins.<sup>1</sup> When James realized the imposition he swore vengeance upon a nation of tricksters.

Similar mercenary transactions estranged their old allies, the French; they openly sold arms and ammunition to the French rebels of Languedoc.

By 1651 the commercial interests of England had increased and her colonies in America and the West Indies were growing in importance, and it was now that these interests clashed with those of Holland.

For England's expansion to Empire it was essential that Holland should no longer hold the command of the sea, either in the militant or commercial sense. The first blow made by England was at the Dutch mercantile marine by the passage through the House of Commons of the celebrated Navigation Act, by which it was ordained that goods from Asia, Africa, and America should be imported only in English bottoms, as also goods from any part of Europe, unless they were the produce or manufacture of the country to which the vessels belonged. The rigorous application of Cromwell's Navigation Act and the numerous captures of Dutch merchantmen by English ships in time of peace led to the first Anglo-Dutch war. This war broke out through the accidental collision between the English and the Dutch fleet outside Dover on 19 May, 1652. By this time the commercial instinct had so obsessed the Dutch that even their first line of defence had been sacrificed to the spirit of thrift. Peace and economy had in 1647 been the election cry of the wealthy burghers of Amsterdam; this retrograde party carried the day and succeeded in disbanding practically the whole of the Army, and in 1648 in reducing the fleet from 150 vessels to 40. "The

Antagonism  
between  
Dutch and  
British.

<sup>1</sup> Rushworth, "Historical Collections," 1659, pp. 1, 3.

men were dismissed and technical improvements and repairs which were required were not undertaken.”<sup>1</sup>

Upon the other hand, the century preceding the outbreak of hostilities with Holland had been one of gradual but steady improvement in England's shipping; the conditions of the times called for every sailor to be a fighting man. England, too, had benefited financially and in fighting experience from her constant depredations upon the shipping of Spain and the numerous and successful naval attacks upon Spanish settlements.

Anglo-Dutch  
War.

Upon the outbreak of war with the Dutch in 1652 the English fleet contained fifty-eight ships of over forty guns, whereas the Dutch had but fifteen of over forty guns. The biggest English ship carried 700 men, the biggest Dutch ship 250 men.

The first sea fight between these two naval powers was indecisive. In May 1652, the renowned Dutch Admiral Tromp was compelled by stress of weather to take refuge at Dover with a fleet of more than forty sail. Although war had not been declared, Admiral Blake, commanding a far inferior force, engaged the Dutch fleet and a battle was fought with obstinacy till night parted the combatants, when the Dutch retired. War was declared in July, and the following month Vice-Admiral Sir George Ayscue with thirty-eight sail engaged Admiral De Ruyter commanding a fleet of equal force. This engagement took place off Plymouth and lasted from four in the afternoon until dark. The English admiral followed De Ruyter the next day, but was unable to overtake him. The next naval battle of importance between these two maritime nations occurred in September 1652; in that month the Dutch fleet, commanded by Admirals De Witte and De Ruyter, appeared off the Goodwins. The fleet consisted of fifty-nine men of war besides many smaller vessels. The English fleet was of nearly equal force and was under the command of Admiral Blake and Vice-Admiral Penn. The fleets engaged at 3 p.m. on the 28th and the engagement resulted in a victory for the English, who for the two following days pursued the Dutch to the mouth of the Texel. The following month yet another battle was fought off Dover be-

<sup>1</sup> “Handbuch für Deutschlands Seeinteressen,” 1900, p. 161.



tween the Dutch under Tromp commanding eighty large and fifteen small vessels, and the English fleet of forty ships under Blake. Although inferior in numbers, Blake did not hesitate to attack. He succeeded in maintaining this unequal fight from noon until after dark, under cover of which he made for Dover Roads. It was in consequence of this success that Tromp hoisted a broom at his masthead, indicating thereby that he would sweep the seas of English shipping.

On 18 February 1653 the English fleet of seventy ships, under the joint command of Admirals Blake, Deane, and Monk, intercepted off Portland the Dutch fleet of seventy-three ships of war convoying 300 merchant ships. This naval action was perhaps one of the most desperate ever fought and lasted for three days; the Dutch fleet was chased into Calais, from which port during the third night of the action they succeeded in escaping. The Dutch loss in the three days' action was eleven ships of war and sixty merchant ships; 1500 men were killed and 700 taken prisoners.

The English Parliament now realized the need for the immediate strengthening of the Navy. By May 1653 the fleet was increased to 105 ships, mounting 3840 guns and manned by 16,269 men. Much of the success which up to now had been met with in the sea fights with the Dutch was due to the inefficient condition the fleets of Holland had fallen into. "The rule of civilian amateurs experienced in political intrigue and in wordy warfare, but ignorant of naval warfare and naval administration had led not only to muddle in the providing of the naval material, but to depreciation of the human material."<sup>1</sup>

Causes of  
English suc-  
cess in the  
war.

In this naval war, fought for the supremacy of the sea, we find the two combatants equal in fighting quality, in seamanship, and in leadership. "Notwithstanding the experience and bravery of the greatest Dutch admirals the English Navy was victorious, and their victory was attributable mainly to superior administration on the English side."<sup>2</sup>

The English fleet, having been increased, put to sea under Monk, and on 2 June fell in with the Dutch fleet consisting of 104 ships under Tromp. The battle which ensued

<sup>1</sup> Barker, "Rise and Decline of the Netherlands," p. 282.

<sup>2</sup> Gardiner, "Commonwealth," 1894, Vol. II, p. 339.

ended in a complete and decisive victory for the English, eleven Dutch ships and 1300 prisoners, including six captains and two rear-admirals, being taken. Nine ships were sunk. The English loss was General Deane, and 126 officers and men killed; no ships lost. This victory induced the Netherlands to sue for peace, and this was concluded on Cromwell's own terms, which included the sovereignty of the seas. The Dutch yielded the honour of the flag, and agreed to salute English men-of-war by striking the flag, and lowering the topsail.<sup>1</sup>

Commence-  
ment of  
England's  
maritime  
supremacy.

Renewal of  
hostilities.

England's command of the sea dates then from 15 April, 1654, for upon that day the treaty between the two foremost sea powers of the world was concluded, and by it England was acknowledged the sovereign power of the seas.

It was hardly to be expected that two peoples so nearly equal in maritime strength, the one who had humbled the sea power of Spain and Portugal and the other the recent victor, whose interests were continually clashing in all parts of the world with those of an erstwhile enemy, should remain for long at peace. Even though the policy of the two Governments of England and the Netherlands was a peaceful one the trading companies of both countries were entering upon hostile competition with each other in Africa, in the Indies, and in America. Although the formal declaration of war was not made before February 1665, hostilities had begun in 1664 on the West Coast of Africa, where an English squadron seized several Dutch stations and then sailed over to New Amsterdam (now New York) and captured it. As France and Holland had entered into a defensive treaty in 1662, the Dutch claimed the support of Louis XIV. The claim was allowed, but most unwillingly. The French Navy was still in its infancy. French statesmen had not yet realized the all-important part sea power was to play in government and empire. The war was purely maritime and was waged between the two sea powers, the French Navy giving practically no help, although in a moral sense it was responsible for a serious strategic blunder in the Four Days' Battle of June 1666.

<sup>1</sup> The English claim of the sovereignty of the seas was founded on Seldon's "*Mare-Clausum*," Harris' "*Life of Cromwell*," p. 264.

During this war three naval battles of importance were fought. The first off Lowestoft, on the Norfolk coast, 13 June, 1665; the second in the Straits of Dover known as the Four Days' Battle, lasting from 11 to 14 June, 1666, and the third off the North Foreland, 4 August of the same year. In the first and the third the English were victorious; "in the second the advantage remained with the Dutch".<sup>1</sup> It is of this battle that Captain Mahan points out the grave dangers of political interference in the conduct of war. He says "a great strategic blunder by the Government in London immediately preceded the fight. The King was informed that a French squadron was on its way from the Atlantic to join the Dutch. He at once divided his fleet, sending twenty ships under Prince Rupert to the westward to meet the French, while the remainder under Monk were to go and oppose the Dutch."<sup>2</sup>

The result was that Monk had to engage De Ruyter commanding a fleet of 100 sail, with an attenuated fleet of sixty. Still he did not hesitate to attack. For two days a fierce battle ensued, at the end of which time Monk made a steady and orderly retreat to the west with the object of falling back on Prince Rupert's squadron. On the evening of the second day the squadrons were reunited; the third day the battle was resumed with even greater fury, ending in the evening by the defeat of the English. It is stated on fairly impartial authority,<sup>3</sup> that the Dutch lost in the three days' fighting three vice-admirals, 2000 men and four ships, and that the English lost 5000 killed and 3000 prisoners and seventeen ships.

Two months after this fight, which the Dutch looked upon as decisive, the English were at sea again, and on 4 August engaged the Dutch fleet off the North Foreland and completely defeated it, following it to the coast of Holland and forcing an entrance into one of the Dutch harbours, destroying the town together with a large fleet of merchantmen. This victory was not, unfortunately for the prestige of England, followed up; but on the contrary, "poverty, the result of extravagance and of his home policy, led him (the

<sup>1</sup> Mahan, "Influence of Sea Power," p. 108.

<sup>2</sup> Ibid. p. 118.

<sup>3</sup> Lefevre-Pontalis, Jean de Witt.

Interference  
of the English  
Government  
in strategy.

King) to permit it (the fleet) to decline; ships in large numbers were laid up; and he readily adopted an opinion which chimed in with his penury, and which, as it has had advocates at all periods of sea history, should be noted and condemned here".<sup>1</sup> Immediately it was known in Holland that this absurd and fatal policy of economy had been carried into effect, De Witt dispatched a fleet of sixty ships under De Ruyter to the Thames on 14 June, 1667. He sailed as high as Gravesend, destroying the shipping at Chatham and in the Medway, and taking possession of Sheerness. The fires of the burning ships were plainly seen from London. The Dutch fleet had possession of the mouth of the river for over a fortnight. But by this time both sides were tired of the war. They could clearly discern the policy of Louis XIV, who, though an ally of Holland, had not yet risked his ships in a naval fight. It had become clearly obvious to the Dutch that instructions had been given to the French admirals to avoid meeting the English on the sea, not from fear but with the object of allowing the two sea powers to weaken themselves against each other. Both Navies were being weakened to the advantage of the growing sea power of France. Then, too, the commerce of both countries was suffering severely; therefore, after the blow received on the Thames, England consented to the Peace of Breda, signed 31 July, 1667, and which transferred New York and New Jersey to England.

Dutch in the  
Thames.

Collapse of  
Dutch sea  
power.

This peace only lasted for five years. The growing jealousy of France was the factor resulting in the final overthrow of Holland. Louis XIV, who had been unable to make Europe accept the conquest of Belgium by France, hoped to induce it to accept the fall of Holland. The Dutch fully realized the grave danger which now confronted them, and they made every diplomatic effort to avert it. But the pride of the British, so grievously humbled at the invasion of the Thames, would not allow them to see reason; England at the time did not see that the downfall of Holland as a great sea power would mean the rise of France as a rival for the sovereignty of the seas. In January 1672 England despatched an ultimatum summoning Holland to acknowledge the right of the English Crown to the sovereignty of the

<sup>1</sup> Mahan, "Influence of Sea Power," p. 131.



British seas and to order its fleets to lower their flags to the smallest English man-of-war. The French King supported these demands. The Dutch yielded to all these requests, but they realized that all concessions were useless, and they therefore ordered into commission seventy-five ships of the line besides numerous smaller vessels. But twenty years of party government had told its tale; political corruption was rife. The government had become so democratic that the first essential in defence of a country—discipline—had been killed; the servant considered himself as good as the master. There was, in fact, no master to give orders. Therefore, when war was declared by England on 29 March, 1672, against Holland, followed the next month by a similar declaration by France, politicians and people were unprepared. The Army had fallen into absolute neglect; the Navy was little better. All thoughts, energies, and abilities had been centred upon commerce and money-making; the first law of nature had been forgotten. The sure sign of the decay of the Dutch sea power was noticeable at the very commencement of this war. Unlike previous wars in which she had participated, her Navy from the beginning acted solely upon the defensive. Although the French Navy had made great strides during the previous decade it was still the policy of the French statesmen to preserve it at the expense of the English fleets.

The Dutch were ill-fitted to oppose the French invasion into the United Netherlands led by Louis himself at the head of three divisions early in May 1672. The Dutch had only about 20,000 ill-disciplined men to oppose ten times that number of French troops. Had Holland not been open to this land attack she might yet have succeeded in holding her own on that element of which she had been so completely the mistress, for in an action fought off Solebay on the coast of Suffolk on 28 May, De Ruyter had engaged the combined English and French fleets a whole day, and the losses on both sides were so equally balanced that the victory could be claimed by neither. The French had taken little part in this naval action. This battle illustrates how even an indecisive action at sea may have an important bearing upon a land campaign. “The substantial results of Solebay fight were wholly favourable to the Dutch. The allied fleets were to have assisted the

France and  
Britain  
attacked  
Holland.

operations of the French army by making a descent upon the coast of Zeeland. Ruyter's attack had inflicted an amount of damage, and caused an expenditure of ammunition which postponed the sailing of the fleet for a month; it was a diversion, not only important but vital in the nearly desperate condition to which the United Provinces were reduced ashore."<sup>1</sup>

The land campaign made slow progress. It had been delayed by Ruyter's action at sea, but only temporarily, for the canker of Socialism had so eaten into the Dutch nation that their fleets, the truncheon of sea power, had been starved. As the invading army approached Amsterdam, in order to offer further resistance to the invaders the Dutch had to abandon their naval defences. It was resolved that no more ammunition should be sent to the ships. The naval commanders were informed that there was not enough powder for the defence of the frontier fortresses. Two-thirds of the marines were withdrawn from the fleets for land defence. At this time a large English fleet appeared off the Dutch coast with a body of troops on board for the purpose of landing and taking Amsterdam. The people's representatives had disarmed the Dutch fleet, therefore Ruyter was powerless; but providentially a storm arose which drove the English fleet to sea. The Dutch were yet to show that they were not easy of submission, when it appeared as if their towns must capitulate, for Amsterdam opened the dykes and this example was followed by all the other cities of Holland. Considerable loss was entailed by this course of action, but it gave the country breathing time and enabled negotiations to be continued with the Emperor of Germany, the King of Spain, and the Elector of Brandenburg. By June of 1673 De Ruyter had refitted his fleet, and on the 7th of that month made a determined attack on the combined English and French fleets which had appeared off the coast of Holland. This battle was indecisive. A week later De Ruyter again attacked, and although this is reported as also being of an indecisive nature, yet the result was that the allied fleets had to retire from the coast of Holland for the purpose of refitting. Six weeks' later the English and French fleets again put to sea, carrying

Courage of the  
Dutch.

De Ruyter  
defeated the  
allies.

<sup>1</sup> Mahan, "Influence of Sea Power," p. 148.

a body of troops meant for landing. At daybreak on 21 August, the Dutch fleet were attacked off the Texel. De Ruyter now commanded seventy ships. The English fleet consisted of sixty and the French had thirty ships. Although De Ruyter displayed remarkable skill, and his sailors seamanship and courage, he retired from the fight at 4 p.m. Captain Mahan describes this as a drawn battle.<sup>1</sup>

According to Campbell in his "Lives of the Admirals" this battle opened the Dutch ports, which were entirely blocked up, and put an end to all thoughts, by removing the possibility, of an invasion.

On 30 August, 1673, that is, nine days after the Battle of the Texel, a formal alliance was made between Holland and Spain, Lorraine, and Germany on the one side, and the other. Louis XIV now withdrew his troops from Holland. These were urgently needed elsewhere. On 10 February, 1674, peace was signed between England and Holland, one of the conditions being the absolute supremacy of the English flag from Cape Finisterre to Norway. Holland also paid a war indemnity. Holland from now ceased to exist as a sea power to be reckoned with. She had risen to greatness at home and to empire abroad by sea power; by neglecting to keep the instrument of that sea power efficient, through ignoring the basis of her creation and existence, she had to give way to a nation whose rise was identical with her own, and whose career up to the present date is parallel to that of Holland. Already there are those sinister signs of neglecting the foundations upon which the British Empire stands. As in Holland in the middle of the seventeenth century the popular leaders are misleading the people for party purposes, and like their prototypes of those days will be found wanting when their country through their misgovernment is on the brink of disaster.

The peace which followed the third and last war with Holland did not conduce to the efficiency of the English Navy. On the other hand, the naval policy of France, fostered by the ambition of Louis XIV, was such that by the year 1689, when William of Orange landed in England and James fled, the French held the command of the sea. During

<sup>1</sup> For details of Battle of Texel, see Mahan, "Sea Power," p. 152.

the period of fifteen months whilst James remained in Ireland the French landed troops there on several occasions, and at the naval battle of Bantry Bay the English were defeated. But no battle can be decisive if the side defeated still has recuperative powers, if its resources are greater than the loss in the defeat. This is illustrated by the events which followed the English Dutch defeat off Beachy Head on 10 July, 1690. Tourville, commanding the French fleet of seventy line-of-battle ships and twenty-two fire ships, engaged allied fleets under Admiral Herbert numbering fifty-six ships. The English and Dutch were completely defeated, losing between twelve and sixteen ships. The French did not lose a single ship. Tourville realized that for the moment the command of the sea was his, and begged of Louis to land a French army in England to follow up his victory at Beachy Head. The King did not fully appreciate the decisive nature of sea power, if all the principles were applied, and he unwisely refused. The recuperative powers of the allies enabled them to take the sea again stronger than ever in the following year. They numbered 100 ships of the line. The French—never a maritime people in the sense that the English and Dutch are—could only muster seventy-two vessels. Tourville therefore contented himself with serious depredations upon the commerce of the allies. The next year, however, the Battle of La Hague was fought, in which the French were defeated. In this battle Tourville only had forty-four ships, yet he engaged the allied fleets numbering ninety-nine ships of the line. After this battle the allied sea powers held the command of the sea, their fleets increased in efficiency, whilst those of France declined, mainly perhaps owing to the drain in men and money for the conduct of the land campaigns of Louis.

Growth of  
British sea  
power.

The war of the Spanish succession which broke out in 1702 does not contain any naval battle of importance. Again we find the two acknowledged sea powers of England and Holland holding the command of the seas and swaying the course of the war. In the early stages of the war the French gave up the struggle at sea, confining themselves wholly to a commerce-destroying warfare.<sup>1</sup> It is about this period that the influence of sea power becomes more obvious. During

<sup>1</sup> Mahan, "Sea Power," p. 209.



this war the sea power of England was supreme and made itself the determining factor from this time in European history.

On 4 August, 1704, Rooke attacked and captured Gibraltar, the key to the Mediterranean. This is one of England's many supports of sea power. By 1707 the Dutch had fallen behind England in their contribution of ships; their quota was now barely one-third. In 1713 the Peace of Utrecht was signed. The result of this war marked a further advance of England's sea power, for she had secured Gibraltar and Port Mahan in the Mediterranean, and Nova Scotia, and Newfoundland in America.

In 1739 war broke out between Spain and England. This was the commencement of a struggle between the Anglo-Saxon race and the Latin nations for predominance in the colonies. Until now the Spaniards had exercised the rights of sovereignty in the American seas. An English squadron under Admiral Vernon sailed from Jamaica as soon as war was declared and captured Porto Bello. Upon his return to Jamaica Vernon was reinforced by ships and a land force of 12,000 men. Unsuccessful attacks were then made upon Cartagena and Santiago de Cuba. Although France had been actively aiding Spain in her war with England it was not until 1744 that she declared war formally. At this time France held Canada and Louisiana, including the valley of the Ohio and Mississippi, and also Cape Breton Island. In the West Indies she held Guadeloupe, Martinique, and half of Hayti. Spain held in America Mexico and Florida, which included practically all of the present Southern States of America, and in the West Indies she held Cuba, Porto Rico, and part of Hayti. England's possessions in the West Indies were Jamaica, Barbados, and most of the smaller islands. At the end of this war the only alteration in colonial territory was the exchange of Louisberg, which had been captured from the French by the North American colonists, for Madras, which had been captured by the French. Beyond strengthening the efficiency of her Navy, this war, terminated by the Treaty of Aix-la-Chapelle, signed 30 April, 1748, England gained nothing; the questions in dispute between Spain and herself were left undecided. The right of uninterrupted

WAR with  
Spain and  
France.

navigation in West Indian seas free from search was left in abeyance.

In 1755 the Seven Years' War broke out between France and England, although not formally declared before June 1756. It was upon the outbreak of this war that Englishmen first realized the numerous points they had to protect in addition to their extensive trade routes; the responsibilities of empire were now borne in upon them. Lessons in the application of sea power were to be learnt which before the war was over and in the wars to follow were to prove of the greatest value. Owing to the distribution of the English fleets around the coasts of England, in the West Indies, and in North America, the Mediterranean was left unprotected. The French took advantage of this and sent an expedition against Minorca; as soon as the destination of this expedition became known in England Admiral Byng was dispatched with thirteen ships of the line and 4000 troops to reinforce the garrison at Minorca. Byng engaged the French fleet, and the action fought was indecisive and resulted in the English retiring upon Gibraltar. The French thereupon took Minorca. Upon the conclusion of the Seven Years' War England was stronger at sea than she had ever been. She had 120 ships of the line actually in commission, whereas France and Spain could only muster 109 ships of the line between them, and these inefficiently fitted and manned. On 10 February, 1763, the Peace of Paris was signed. This stands as documentary evidence of the value of sea power, for by it the Kingdom of England was raised to a world-wide empire. Under this treaty France ceded to England Nova Scotia, Canada, and the country east of the Mississippi as far as Iberville, also the island of Cape Breton, with the isles and coasts of the St. Lawrence. In the West Indies she ceded to England Grenada and the Grenadines, Dominica, St. Vincent, and Tobago. In Africa she ceded the river Senegal, in the East Indies the French settlements on the coast of Coromandel made since 1749. In Sumatra she restored to England Tabanouly and Natal, and she likewise restored Minorca. Spain ceded to England Florida and all districts east of the Mississippi. Not only had England's sea power enabled her to increase her empire by all this territory, but

it empowered her to make terms on behalf of her faithful ally Portugal, and this treaty provided for the immediate withdrawal of French and Spanish troops from all Portuguese territories.

From the reign of Elizabeth until the great war in 1775 England made steady progress in increasing her prestige among nations and in the extension of over-sea territory ; during this period the Empire was growing unchecked. It was left for this war against the European alliance to remind England that not only had the Empire been built by sea power, but for the retention of every part of it sea power was responsible. In 1781 the comparatively small population of Great Britain found itself fighting single-handed against France, Spain, and Holland, and in India an expensive war was being carried on against Hyder Ali ; Ireland, too, was giving anxiety and calling for the closest vigilance. This, then, was the moment seized upon by the colonists of North America to cast off their allegiance to the Crown of Great Britain and to appeal to France for assistance. This great struggle against all these powers was essentially a naval one. Although the sea power of Great Britain was superior to the united maritime forces of her enemies, the strain upon it was such that it could not prevent the independence of the American colonies from taking place. Had these thirteen possessions been islands the sea power of Great Britain, in spite of the formidable coalition against her, would have been able to have asserted itself to its full capacity. Each colony could have been dealt with separately, and they would have been subdued in detail ; but their geographical configuration and position in relation to each other were such as to preclude the full exercise of sea power. The colonists were not dependent for their existence upon sea-borne commerce ; therefore, its security was not of vital import to them. Nor were there any coast towns of such consequence as their destruction or capture would have any decisive effect upon the revolution.

This war against the European alliance demonstrated the value of colonial possessions as an aid to sea power. The West Indian islands were, to Great Britain, in the course of this war equal to many fleets ; they supplied opportunities of port, provisions, water, and shelter. The ships of Great

Causes of  
American  
success in the  
Revolutionary  
War.

Importance of  
scattered  
possessions to  
a maritime  
power.

Britain were able to be refitted at short notice and with ease whilst the enemy had often to travel some thousands of miles in an exhausted condition to find that succour always at hand for British ships. If possessions such as Egypt, Mauritius, and the West Indies played such an important part in sea power, and were bases upon which the command of the sea rested in the days of sail, how much greater is the importance to sea power in these days of steam of possessions among the oceans that no extraordinary effort is required to reach one from the other.

We have seen that the only amputation from the Empire, the only check given to a steady imperial expansion, occurred through a temporary failure of sea power brought about by an excessive demand upon its functions.

Analogy between U.S.A. and South Africa.

It is quite reasonable to suppose that a parallel case may arise in South Africa. History is but a glass by which may be read the milestones of the future. In South Africa there is a large discontented population with strong republican sentiments who would welcome the temporary embarrassment of Great Britain and such demands upon her Navy as would leave the coasts of South Africa unprotected. Such indeed would be an opportune moment for a declaration of independence. The inhospitable nature of South African coasts, the unimportance of the coast towns, the vast expanse of territory and the warlike nature of the indigenous population, together with the nature of the country, would make conquest by a foreign power or re-conquest by Great Britain next to impossible. The existence, nor even the comparative comfort, of the South Africans is not dependent upon sea-borne commerce, therefore the command of the sea cannot guarantee the allegiance of South Africa to the Empire.

Napoleonic War.

The secession of the thirteen American colonies meant the diminution of the Empire, the loss of certain ports which in future wars would have been of the greatest value in sea power, and of the future key to the Pacific, the Isthmus of Panama. The immediate ill-effect upon England's sea power was the loss of some 28,000 seamen from the Navy, this having been the number recruited in the American colonies. But it was not long before the sea power of England again re-



asserted itself. In the great war which followed that in which she lost her American colonies England met the combined sea power of France, Spain, and Holland, and for a time Russia, Sweden, and Denmark. Under such apparently adverse circumstances, her sea power physically and morally flourished, as that of her adversaries withered. Had she been a continental country, then Great Britain must have succumbed at once. Her dominion, however, was the sea, and here she proved herself supreme. The war, in reality Great Britain against Europe, for only the smaller powers stood aside, lasted with a brief interlude from 1793 to 1815. Now began the heroic period of the British Navy culminating at Trafalgar. That sea power is not solely estimated by the numerical strength of the fleets, but rather by the morale of the personnel, is shown by the relative strength of the fleets on the outbreak of war in 1793.

At the commencement of war the fleets were as follows :— Rival fleets.

	Line.	Frigates.
France - - - - -	86	79
Spain - - - - -	76	68
Holland - - - - -	28	27
	<hr/>	<hr/>
	190	174
England - - - - -	153	89
	<hr/>	<hr/>
Balance against England - -	37	85

But only 115 ships of the English line were fit for service, so that the real balance against her at the commencement of the war was seventy-five ships of the line and eighty-five frigates.<sup>1</sup>

The imperial obligations of Great Britain further lessened the effective fighting power of her fleets. Such squadrons as were detailed for America, in the East and West Indies, were equal, or as nearly as could be gauged, to the enemy. In Europe, on the contrary, the British fleet was habitually much inferior to that in the French and Spanish ports. According to Captain Mahan ("Sea Power," p. 531): "The safety of England herself and of Gibraltar was gravely imperilled by the absence of these large detachments in the Western

British naval  
success.

<sup>1</sup> Allison, "History of Europe," Vol. XII, p. 312.

hemisphere, to which may also be attributed the loss of Minorca". But that England held the command of the sea in spite of numerical inferiority of ships from the beginning of this protracted war is proved by the fact that she was able to act on the offensive from the first. The channel was patrolled by British ships, Toulon and Brest blockaded, and the enemies' ships chased from the coast of France to the West Indies and back again, until they were eventually brought to bay and swept from the seas. Then in very truth did Great Britain secure absolute dominion of the seas and confirm the old observation that he who is master of the sea, of necessity must gain possession of the land also; for all the colonies of the world, in the course of the war, fell into the hands of the British or their allies. "Not a colony remained to an enemy of England at the close of the war. The Americans had entered into it in the hope of wresting Canada from her in the hour of her distress; but they gained no more lasting result from the strife but to see their capital taken, their commerce ruined, their harbours sealed, their flag swept from the ocean."<sup>1</sup> Since Trafalgar, Great Britain's sovereignty of the seas has not been seriously challenged. That determined preparation to do so at an early date is now being made by at least one continental power is apparent to all.

An Anglo-German War is inevitable.

The public of Great Britain have long realized that war with Germany is inevitable. The tacit avowal is made by the public of both nations that war between them is only a matter of time; and the fact that this is so is confirmed by a naval policy but lately entered upon by Germany for no other reason. The British Government's timidity in refusing to acknowledge what the rest of the world fully recognizes is having the ill-effect of a loss of prestige for the Empire among those nations of the world whose respect was won by our forefathers both upon the field and the high seas.

A Pitt or a Disraeli at the head of the Administration to-day would foresee the calamity which is threatening the Empire and would recognize the urgency of repeating a precedent act in sea-power policy—the destruction of the Danish fleet at Copenhagen.

<sup>1</sup> Allison, "History of Europe," Vol. XII, p. 314.

To-day Great Britain is in the proud position of being able to declare war against Germany and to rely with confidence upon a speedy and successful termination of that war. This, too, without the assistance of those first-class powers whose active alliance is assured; to-morrow we cannot say that this would be the case.

The contest in armaments increasing yearly in intensity between these two powers has all the economic evils of prolonged war. The resources of the people are being drained, and the contest is mainly responsible for that unsettled state of things reflected by the heavy fluctuations on the markets of the world.

It is to be regretted that Great Britain has not before this profited by the example set her by Napoleon in 1808 when Prussia threatened to be of further trouble to France. Napoleon in the treaty of that year stipulated that for the space of ten years the Prussian Army should not exceed 42,000 men, that Glogau, Stettin, and Custrin should be garrisoned by French troops till the entire payment of arrears of contributions of every description; that their garrisons, each 4000 strong, should be maintained and paid solely at the expense of Prussia; that seven military roads for the use of France and her allies should traverse the Prussian dominion.

The danger to France, at that time, from hostile Prussia was insignificant compared to the danger of hostile Germany of to-morrow to the British Empire should she be allowed to choose her time for challenging England's command of the sea.

The geographical configuration, situation to neighbours and history of Japan strikingly resemble those of Great Britain. As far as can be ascertained Japan has not been successfully invaded for some 1600 years. From the third century the Japanese have conducted military operations in Corea. As England fought in France and retained to the last moment Calais, so did the Japanese retain Fusan in Corea. Their Navy holding the command of the local seas, persistently ravaged the coasts of China.

"From the reign of Hung-wa to the end of Shihtsung (A.D. 1370-1567) the seaboard of China was devastated by

Parallel between Japan and Britain.

Japanese adventurers, who not only raided the coast, but often established themselves ashore in strong positions, from which they used to sally forth to plunder, destroy, and burn. But they never lost their hold on the sea, and kept their ships either to retreat to Japan when their situation became hopeless, or to remove to some other portion of the coast."<sup>1</sup>

The Mongols, although they successfully overran Central Europe, were impotent against the wooden bulwarks of Japan. An armada similar to that dispatched against England by Philip II, was in the thirteenth century sent to conquer this eastern England, with identical results. The evolution of Japan has taken the same lines as that followed by Great Britain. Will these lines converge and then clash or will they remain parallel? That Japan fully appreciated the lessons left her by previous maritime powers, that her statesmen realized that sea power was a force which when correctly applied will bring the proudest continental power to the dust, is evidenced by the fall of Port Arthur, and that triumph to sea power, the battle of Tsushima.

<sup>1</sup>Clark and Thursfield, "The Navy and the Nation"; also Vladimir, "The China-Japan War".



## CHAPTER XII.

### DEFENCE IN RELATION TO GOVERNMENT OF EMPIRE.

AN observation often heard in this materialistic age is, that it is more difficult to retain wealth than it is to acquire it. There are those ever on the look-out to obtain by fair means or foul the property of others, and it is but a truism to state that to secure intact what one has acquired by one's own exertions or inherited from others one has to be extremely vigilant. Now what applies to the individual applies with equal force to the guardians of our empire.

The Empire has been acquired by every means of acquisition possible, conquest, discovery, purchase, and exchange. The larger portion was obtained by our forefathers, yet tracts of it have been acquired in our own time. The title deeds are to be found in various quaint forms in the India Office, in the Colonial Office, on the Statute Book of England, or of Great Britain, or it may be only in the form of an obscure notice in the "London Gazette". Yet there is legal title for every inch of ground which goes to make up the Empire.

The property of the individual, of companies and of corporations is protected by the majesty of the law, and providing there is legal title, is as secure to its owner in whatever part of the Empire it is situated, irrespective of the domicile of the owner. Yet the majesty of the law has its limitations. It is restricted to the power of enforcement, it is only effective whilst it is superior to the power resisting. There is the moral force of law which in the great majority of disputes is effective. Then there is the physical force of the police to support this moral force should it be ineffective. Then again behind these two, there are the naval and military forces of the Empire, among the functions of which services are the enforcement of the laws of the land.

Now it has been observed that the property of the in-

dividual is coveted, in spite of commandments to the contrary, by his neighbours, and it is triply preserved to him by the forces of the Empire. The vast estate, the great wealth and the promising future of the British Empire are likewise coveted by other powers, and there is no commandment forbidding this; but rather the natural law of the survival of the fittest, or might is right, permits the realization of this covetousness. The imperial property is outside of the protection of courts of law, nor could a policeman armed with truncheon very well enforce His Majesty's ultimatum, the equivalent of an Order of Court, when the dispute is between nations. The imperial estate is, then, protected by the naval and military services of the Empire, and the effectiveness of its security, the immunity from question of title, is dependent upon the strength and efficiency of these services.

Assuming for a moment that a Socialistic Government secured office in Great Britain, and that one of its first legislative acts was to be the disbanding of the fighting services. The day following the dissolution of these forces there would be a distribution of the British imperial estate among those powers strong enough to uphold their claims against less fortunate claimants. Therefore, whilst banking and financial institutions regulate the money markets of the Empire, stimulate or depress commerce, whilst the various judicatures of the Empire regulate disputes among the imperial family, whilst the legislatures enact legislation for the more efficient government of the people, the whole imperial structure rests upon the power of holding our property—that is, the defence of the Empire.

Claims of  
Socialism.

Instead of the possibility of endeavours being made to acquire portions of the imperial estate becoming more remote as time progresses, there are many substantial reasons why such should be made. Socialism cries out against differentiation among men, providing always that those advocating it are to benefit. They are prepared to take but not to give. The doctrine contends that all men being equal no man shall enjoy more than another or labour more than his neighbour. The advantages of birth, of opportunity, of character, of mind, of industry are all denied, the very laws of nature are repudiated.

Now, whilst the doctrines of Socialism are as yet confined within the borders of countries, each Socialistic party railing against the laws of its own nation and endeavouring to effect reforms according to its lights, it is conceivable that many of these Socialistic doctrines may be enunciated by one or more nations against another.

It has been seen how Great Britain, by its superiority at sea, has acquired large estate. One-fourth of the land surface of the world belongs to this one power. This is held in trust for the subjects of the Empire who are to inhabit it. There are vast tracts of this great estate awaiting population. Great Britain was fortunate in that the period of her evolution from nationalism to imperialism was prior to the growth of the population of other nations beyond the confines of their borders. Great Britain did among nations what pioneers do among individuals, acquired vacant lands and secured the title. In both cases the heirs inherit and in both cases there are those who, through force of circumstances, and lack of opportunity, are discontented and fail to see why one should be more favoured than another.

Now there are two first-class powers who have come very late into the field of colonization. The growth of population demands that they should colonize, just as an overstocked hive must swarm. These powers are Germany and Japan. Both have come late upon the scene as world powers, only to find the inhabitable portions of the globe divided among the few maritime nations who had colonizing ambitions and proclivities. The population of the German states has rapidly expanded beyond the geographical capacity of the Fatherland. To possess colonies in which to retain to the nation her own people, has long been the worthy ambition of German statesmen, stimulated no doubt by the fact that Germans are among the most successful colonists in the British colonies. Germany has had to be content with the territory rejected by the other colonizing powers, notably that passed over as unsuitable by Great Britain. The oversea territory left to her is quite unsuitable for settlement by European races; nor are there to-day any portions of the globe not now taken up by one or other of the colonizing nations of the world or by nations that have sprung from these.

It was a cherished hope of Prince Bismarck that Germany might have acquired the Brazils, and with that object in view the tide of German emigration was turned to that rich country, and to-day there are no less than a quarter of a million German colonists in that republic, the majority of whom still hope to see the Kaiser claiming allegiance from the Brazils. But for many reasons this policy was reluctantly abandoned, one and perhaps the most important being the determination on the part of the United States of America to uphold the Monroe doctrine, and the knowledge that Great Britain would stand by her erstwhile colonists.

German  
preparations  
for war with  
Great Britain.

At the present time whilst Great Britain only increases her population by 400,000 per annum, Germans increase at the rate of 900,000 per annum, and it is estimated that over 10,000,000 Germans have been lost to the Fatherland by going oversea. It will therefore be readily understood that the urgency for the acquisition of colonies by Germany is great; but how are these to be acquired? Germany realizes that the words of Raleigh are as true to-day as when they were penned: "Whosoever commands the sea commands the trade and whosoever commands the trade of the world commands the riches of the world and consequently the world itself". She has then a two-fold object in contesting with Great Britain for the command of the sea—the acquisition of colonies and securing the trade of the world. As a trader her rise is phenomenal. The tonnage of her mercantile shipping has increased since she adopted protection in 1879, from 81,994 to 2,256,783 tons.

That Germany is making every preparation for the opening of a history of naval glory is obvious to the world at large; her naval Budget for 1910 is now declared at £22,000,000 sterling; by the end of 1912 she will have completed seventeen battleships of the "Dreadnought" type, and will have others in hand; she will likewise have naval bases upon the North Sea, the Adriatic, and the Ægean.

It is estimated by the German naval war party that Germany will be able to contest the command of the sea with Great Britain in two years' time; she relies of course upon the active alliance of Austria and Italy, who between them would add another ten battleships of the "Dreadnought" type, bringing the fleet of this type up to twenty-seven as against



that of Great Britain of twenty. By that time the population of Germany will be 64,000,000 and that of Great Britain 45,000,000. The disparity between these two powers is not what it appears at first sight. In the preceding chapter an attempt has been made to demonstrate by historical facts that sea power does not depend upon the numerical strength of either population or of ships.

Concurrently with the rise of Germany as a world power Rise of Japan. in Western Europe we have the rapid rise of Japan in the East, a country whose history is curiously analogous to our own; yet she, like Germany, has come late upon the scene, her rapidly-increasing population is outgrowing the narrow confines of her geographical borders, and a large portion of her people are annually lost to the nation by seeking the means of livelihood overseas. A large number of these thrifty people, whose Asiatic characteristics are diametrically opposite to those of Western races, are emigrating to British colonies in the Pacific; the proximity to their own country leads to the easy access of Australasia from Japan. It is well within the bounds of possibility that democratic legislation by the Commonwealth of Australia or the Dominion of New Zealand, actuated by the law of self-preservation, may lead to a contest for the command of the Pacific, and should the command of that ocean pass into the hands of Japan then that country would naturally claim the sovereignty of such Pacific countries as she considered necessary for the settlement of her surplus population and as would secure her power in that ocean.

We have seen that there are at least two first-class powers languishing for the want of oversea possessions by which to retain to the nation an ever-increasing surplus population, and we have also noticed that both are forging rapidly ahead as sea powers. Now, as the command of the sea has to be wrested from Great Britain before either of these powers can hope to acquire portions of the British Empire, and as both have similar aims yet in no way clashing as regards the colonies wanted, it is but reasonable to suppose that trouble will come from both simultaneously. It is possible, nay probable, that the sea power of Great Britain may be challenged at the same time by Germany in the North Sea and the Channel and by Japan in the Pacific. Possible danger from both powers at the same time.

Disastrous  
policy of  
separate  
colonial  
navies.

Now, it would have been thought that at the Imperial Defence Conference, held in London last year, that the danger threatening Australia would have been brought home to her and that she would have been effectually dissuaded from squandering her money in the extravagant indulgence of a toy navy. Are these, otherwise fine colonists, so blinded by race prejudice or by self-conceit as to believe that their daily environment which makes them good soldiers is likewise such as will make them as good sailors as the Japanese? We might as well expect a Tartar brought up in the steppes to compete with an Englishman at sea as to ask the rough rider of Australia to compete with the born sailor of Japan on his natural element. New Zealand, from her attitude at the Imperial Defence Conference, realized that her security, like that of every other portion of the Empire, depended upon the maintenance of one common fleet for the whole Empire under one controlling and representative authority, a fleet whose command of the sea, whether it be the Pacific, the Atlantic, or the Mediterranean, is never in doubt. The lessons of the past have not been lost upon the statesmen of New Zealand, as apparently they have been upon those of Canada and Australia, and she has intimated her intention to contribute to one fleet for the defence of the Empire to the extent of £100,000 annually and to donate a Dreadnought cruiser. The Commonwealth, on the other hand, has entered upon the policy of founding a navy of her own, a policy initiated, with such disastrous results to a promising empire, by the colonies of ancient Greece. The independent naval policy of Corinth and Syracuse and of the smaller colonies led to war with the parent state of Athens and wars between themselves, which ultimately exhausted the naval power of each and made them an easy prey for Rome.

The Australian Navy is to be in close touch with the Royal Navy, or, in other words, whilst in full sympathy with the Navy responsible for the security of the Empire it is to be independent of it. The Commonwealth Government has hitherto paid a voluntary contribution of £200,000 per annum to the Admiralty and in return a squadron of a specified strength has been stationed in its waters.

Canada has likewise adopted the policy of independence in

naval affairs ; whilst she is building her first unarmoured cruiser her probable enemy is completing a fifteenth or sixteenth battleship of 30,000 tons costing a matter of £3,000,000. It is not conceivable that any possible enemy will ever allow any of these baby navies to develop much beyond infancy. The enemy of the future can afford to look on with satisfaction at a division of effort which tells in his favour. He sees money, which if expended upon the common fleet of Empire, would make the sea power of Great Britain unassailable, squandered in futile efforts to create colonial navies, which if brought into existence would be attacked in detail by the overwhelming force of an older and wealthier power and absolutely annihilated. The policy of independent navies is only understandable when the possible enemy is likewise only just entering upon a naval policy of independence and the sea power of the future enemies grows together until such time as the one considers itself strong enough to destroy the other ; or, again, in the case of a country independent of sea-borne commerce and able to build up a powerful fleet under the walls of impregnable fortresses ; but one is at a loss to understand the reasoning of statesmen and politicians who advocate an independent naval policy for British colonies, and one cannot believe that any naval or military strategist who knows the A B C of his profession can defend a policy which is in such complete accord with what a possible enemy would require if asked to map out the disposition of the naval forces of the British Empire to enable such to be the more easily defeated. Now let us apply a test to the independent-navy policy and see how it works, and the test that will be applied is similar to the naval policy of Great Britain in 1778, which, had the enemy been as well informed and disciplined as is bound to be the case in naval wars of the future, would have meant the annihilation of British sea power. In the war of 1778 Great Britain distributed her fleets as the colonies propose doing now. She gave up the first line of the defence off the hostile ports and tried to defend all parts of her scattered empire by dividing her fleet among them. “ How impossible and dangerous such a defensive strategy is, when not superior in force, is shown by the frequent inferiority of the British abroad as well as in Europe, despite the effort to be every-

Similar futile  
policy in 1778.

where equal. Howe at New York in 1778, Byron at Grenada in 1779, Graves off the Chesapeake in 1781, Hood at Martinique in 1781, and at St. Kitts in 1782, all were inferior, at the same time that the allied fleets in Europe overwhelmingly outnumbered the English."<sup>1</sup>

Hypothetical  
case of war.

Now assuming that Germany, actuated by the urgent need for oversea possessions, is in 1915 compelled to find a pretext for war with Great Britain, and that she has the active alliance of Austria and Italy, and that the allied fleets exceed the British Navy in number and gun power by 10 per cent. We will also assume that Canada has been most serious and strenuous in the adoption of her independent naval policy and so likewise has Australia, and that each of these colonies has in this short space of time expended a sum of ten millions sterling (which of course is not contemplated), and for this they have got together a squadron of ten vessels each, including a "Dreadnought" and two first-class cruisers. In the case of Canada these ten ships are to be divided between the Pacific and the Atlantic, nor can they ever unite. No German strategist would let such an opportunity slip of dealing a certain, cheap, and effective blow at British prestige. Whilst the allied fleets were lying safely under the guns of Cuxhaven and Brunsbüttel, and threatening a descent at any moment upon the shores of Great Britain, the British Navy would naturally be concentrated somewhere in the North Sea ready to deal by a decisive battle a fatal blow, and uphold her command of the sea; the allies choosing their own time to fight would have in the meantime detached a squadron strong enough to annihilate the Atlantic baby fleet and destroy such commerce as possible. The British naval commanders would not, in view of the threatening attitude of the allied fleets at Cuxhaven and Brunsbüttel, weaken their fleet-in-being in order to save the Canadian squadron (if any such attempt were made it would only add a further danger to the building of these baby navies). Whilst such a naval war is proceeding in the North Sea and the Atlantic, it is possible that by this time democratic legislation in Australia has so exasperated the Japanese that they will seize the opportunity of putting into practice the axiom that "might is right," and

<sup>1</sup> Mahan, "Sea Power," p. 534.



the ten millions fleet of Australia and the Canadian Pacific squadron would, in a very short time, be swept from the seas by the naval-war-tried veterans and "Dreadnoughts" of Japan. We see by this hypothetical case how an independent-navy policy can in no way be of the slightest protection to the colonies adopting it; but on the contrary such is a grave source of weakness to the defence of the Empire. On the other hand, should but a proportion of the money proposed to be expended upon these baby navies be utilized for efficient coast and harbour defence, and the balance contributed towards the Imperial Navy, the hypothetical fleets at Cuxhaven and Brunsbüttel would either have to fight the decisive battle against possibly superior numbers and gun power or be bottled up in these ports whilst the mercantile flags of the allies were swept from the seas. Japan, knowing how things were proceeding in Europe, would prefer not to face a day of reckoning with a fleet, which having destroyed the shipping and forced a glorious peace, would be at liberty to sail to the Pacific and operate from well-defended naval bases which, if properly fortified, need in the meantime have suffered but little from the bombardment of the whole Japanese fleet.

One could understand this policy of naval independence if there were any serious local needs, but beyond the call of pride and independence, fed perhaps by political contractors, one fails to find any "local needs"; the days of piracy are long gone. The commerce of the colonies, whilst on the high seas, is protected by the Imperial Navy and ever will be. Nor is there the call of a seafaring population in these colonies for naval employment. Then the question arises as to how these baby navies are to be manned. Especially is this the case with Australia. In both Canada and Australia every inducement is being held out to attract emigrants to these colonies to develop industry and agriculture. Can these men be spared from the land to take up a seafaring life foreign to them; even in Great Britain owing to the changed conditions of life, this very difficulty of manning the fleet is becoming a serious problem. In this respect Great Britain is neglecting the opportunity of turning to the advantage of imperial defence the naval proclivities of certain of her

Uneconomic  
character of  
the indepen-  
dent-navy  
policy.

colonists, notably those of Newfoundland and the Falklands. In all of our colonies are to be found, in small numbers, men and youths anxious and suitable for a naval career, but in the case of no single colony would there be sufficient to man an independent navy even of the "baby" type. Yet when collected together for an Imperial Navy they would make a very considerable difference to the strength of that Navy. Apart from the serious loss of efficiency in imperial defence there is a considerable economic waste in the "baby"-navy policy of the colonies. In Australia, where the demand for labour exceeds the supply, naturally the wages are high. In the United States of America similar economic conditions prevail and the manning of her fleets has always been difficult and costly. In this year's estimate for the Navy of the United States the average rate of pay works out at £121 16s. 1d., or almost double that of Great Britain, which for the same year works out at an average of £63 16s. 7d. It will, therefore, be seen that an Imperial Navy would be able to secure for at least the same annual expenditure two efficient seamen for every cowboy or roughrider secured for service with the "baby" navies.

World's naval  
expenditure.

According to an interesting admiralty memorandum just prepared we find that for this year a matter of £121,000,000 is being spent on the navies of the seven leading naval powers, or approximately 20 per cent *more* than the total gold output of the world for the same period. The naval votes of these seven powers are :—

Great Britain -	-	-	-	-	£35,142,700
United States	-	-	-	-	28,778,777
Germany	-	-	-	-	19,538,188
France	-	-	-	-	13,353,825
Russia	-	-	-	-	10,028,831
Japan	-	-	-	-	7,202,823
Italy	-	-	-	-	6,755,291

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£120,800,435

And the drain upon the taxpayer continues. No wonder the question is so often asked, Can war be worse than this? The Imperial Defence Conference had an opportunity of insisting upon a halt being made in this ruinous expenditure, for had each of the colonies frankly admitted that the existence of

the Empire, the security of commerce depended upon a strong Imperial Navy, and had the delegates on behalf of their colonies subscribed to this, Great Britain would have been in a position to have insisted upon at least the limit in shipbuilding being fixed.

The British Empire enjoys natural advantages which if made use of must always give her the lead in sea power. A proper organization of our imperial defence resources would transfer from the shoulders of the British taxpayer every penny levied for military service and place it on the shoulders of the colonial, leaving the British taxpayer free to compete with the German, who would be heavily handicapped by an Army costing three millions more per annum than the British Navy for this year. The colonies would have the satisfaction of knowing that the sea was absolutely part of the Empire held by unassailable fleets. The burden upon their own shoulders would be light and of a congenial nature, for the daily calling of the average colonial is such as makes him two-thirds a soldier. Then, too, the disposition of these troops would be convenient. For service in India colonial brigades would be drawn with ease from Australia and South Africa.

Natural advantages of the British Empire.

Colonies should bear the expense of military defence.

Australia has fallen into line with Canada in adopting a Militia Act which will bring into being a respectable Army and will make her a formidable opponent on land. The Act provides for compulsory physical training for all boys from twelve to fourteen years of age; military training from fourteen to eighteen years of age; field and camp work from eighteen to twenty years of age. When complete the scheme will give (1) a military force 30,000 strong; (2) a reserve of 80,000 trained men; and (3) a rifle club reserve of 60,000—a total of 200,000 more or less effectively trained soldiers. The first line, capable of being immediately mobilized, will be 48,500 strong. All male citizens between eighteen and sixty years will be liable for service in time of war. Arms, training and equipment are to be the same as over the rest of the Empire, thus complying with the resolution adopted at the Defence Conference to “standardize” the defence forces of the British Empire. The cost of the land defence when the scheme is completed is estimated to be £1,742,000 per

Australian Army.

annum and the naval defence at £750,000. The Defence Bill, therefore, of the Australian Commonwealth will amount to £2,500,000 or an average of 10s. 6d. per head of the population.

Navy is the first line of defence and offence.

In no war of any magnitude outside of India, in which the Empire would be involved, would the initial work be undertaken by an army. The first blows would have to be struck by the Imperial Navy. If it became apparent that the heavy blows struck by an efficient navy needed to be followed up by the landing of an invading force, then those would be mobilized in that colony nearest the scene of action. If in Europe, Canada could throw in an army corps which if necessity called would be promptly followed by others from India, Australia, New Zealand, and South Africa. It must ever be borne in mind that as the first line of the Empire's defence is the Navy, she is in the happy and unique position of being able to choose her own time and place for making an invasion of an enemy's country, and she is therefore able to quarter her armies in such parts of the imperial domain as are most convenient for her either economically or strategically.

Inertia of the British Government.

There is one thing which strikes the foreigner as inexcusable in regard to the British Empire and that is the waste of our resources of defence. There is no co-ordination, and it is perhaps the fact that this lack of organization has been continuing year after year that has forced the Canadian and Australian Governments to adopt the course of independence in naval questions. Englishmen are proverbially conservative, and none so conservative in their attitude to the colonists as the Liberals. This was realized at the Defence Conference of 1909. Many colonials had anticipated the creation of an Imperial Defence Council which would have been responsible for the organization of the imperial defence forces including the Imperial Navy and for the fortification of those numerous imperial possessions which, situated in various seas in strategic positions, would not only economically but tremendously increase our sea power. It had been confidently hoped that the larger self-governing colonies would have been permanently represented upon this Defence Council. It therefore came as a disappointment to many to find that the Liberal Government was far too con-



servative to allow these growing nations to assist in the organization of the Empire's resources.

The foundation of imperial federation is an Imperial Navy as the first line of defence and offence, with an Imperial Army as the second, or auxiliary line of offence. Unless this is realized by the component parts of the Empire it is useless to theorize on the ease with which federation or even a closer union between the imperial family may be brought about, for if independent naval and military policies are adopted by the colonies there must set in a decay of the Empire, inasmuch as each part must grow estranged from the others. National affairs will grow of greater importance than imperial questions, international questions between what were once colonies of the same empire will arise and bitterness follow, and the history of ancient Greece be repeated in detail. Who is to take the place of Rome? Will it be Germany or Japan?

An Imperial Navy is the foundation of imperial federation.

## CHAPTER XIII.

### IMPERIAL COMMUNICATIONS.

Arteries and  
nerves of the  
imperial  
organism.

UNDER this head we have to consider those great ocean highways which, like arteries in the human body, carry along them the means of life from the heart of the Empire to each extremity. We also have to consider the means by which one part of the Empire is made cognizant within the space of a few minutes of the doings of another part.

Britain's food  
supply.

One evil effect that free imports have had upon the Empire in general, and Great Britain in particular, has been to greatly increase the responsibility of keeping open certain of the main trade routes by which the United Kingdom is to be fed. To-day, nine out of every ten loaves consumed in Great Britain are imported from oversea. Yet there are waste lands in the British Isles upon which to grow sufficient wheat to feed with ease the forty-five millions of people. Unfortunately a very large proportion of the corn imported into Great Britain is brought from foreign countries, principally from Russia, the United States, and the Argentine, although it is pleasing to discover that Canada is each year increasing her export of corn to England, and within a very short time it is possible that she will supply the mother country with all her imported corn. It will greatly simplify the problem of imperial defence if this is so, for the greatest difficulty in the solution of the problem is the feeding of the inhabitants of the mother country. A good Government always makes the security and welfare of the people its first care. In the case of Great Britain, where a stoppage for four months of the import of corn would mean starvation for the forty-five millions of inhabitants, the question is one of primary importance. There would be little use for old age pensions if bread could not be purchased for love or money. No scheme for imperial

government can be complete which does not provide for the uninterrupted importation of wheat in the time of peace or war. But for the welfare of the people, the Administration should go further and should endeavour to keep the price of corn from undergoing those heavy fluctuations which caused so much distress and latent discontent during the period from 1775 to 1813. During this period the price of corn rose from 51s. 3½d. per quarter to 126s. 6d. The imperial communications must not only be kept intact, but so secure as to ensure the means of livelihood to all classes. Every 1s. per quarter over 28s. that wheat rises, represents a percentage of starving people, unless, of course, a corresponding rise in earnings occur.

The first trade route we will now consider is the one by which the British Isles would be mainly sustained in the event of a war in which the command of the sea was to be challenged, and this is the one which lies between Plymouth and Newfoundland. The distance is 1910 nautical miles. Nor is this route threatened by cover for the enemy, whilst it is the shortest and most direct route along which the United Kingdom would, in time of war, draw its sustenance. It is at the same time the most open and the one which lends itself to the most efficient and economical defence.

By a glance at the map, one is at once impressed with the many compensating advantages meted out to the British Empire. Whilst we find that the heart of the Empire (Great Britain) is weak and vulnerable owing to the fact that it does not sustain, from its own soil, its population, we note that the first wheat-producing country in the world is in her possession, and is geographically her nearest colony, and that the communication between the mother country and the colony is easy to keep open; only one flank being threatened by possible enemies. Then again it is a remarkable and noteworthy fact that along every line of communication between the mother country and her most distant possessions, there are ports of call which are themselves parts of the Empire and the importance of which has increased a hundredfold with the advent of steam and the necessity of coal as a means of propulsion. Our enemies might say with perfect truth, that the British Empire has been laid out with diabolical cleverness, for its designers

British coal-  
ing stations.

appear to have seized every point of vantage upon every possible line of communication. We will take as an example the route from Plymouth to Wellington, New Zealand, one of the outposts of the Empire, the distance via Suez being 12,110 nautical miles. 1050 miles from Plymouth is the British imperial fortress of Gibraltar, guarding the entrance of the Mediterranean. Situated in the very centre of this sea, a further 980 miles, is Malta, heavily fortified. Yet another 940 miles brings us to the end of the Mediterranean, Port Said, the entrance to the Suez Canal. This runs through British territory to essentially a British-owned sea. Across this, along the Red Sea to Aden, is a further 1310 miles. From here we pass the British possessions, potential coaling fortified stations of Socotra and Maldiva to Colombo, a distance of 2130 miles. From here to Keeling Island is 1700 miles. A further 1700 miles brings us to King George's Sound. From here to Melbourne is 1200 and from Melbourne to Wellington 1470.

When we speculate on the advantages that may be derived from the construction of the Panama Canal, the forethought of the architects of the British Empire is again borne in upon us, for we find that our West Indian Islands stretch themselves as a natural barrier across the Caribbean Sea, giving to Great Britain the key to the Panama. Her sea power here rests on well-fortified bases, making it difficult for the line of communication to be closed against her by any other power than the United States. We find also that the two great geographical features of the globe are also commanded by British possessions. One, the Cape of Good Hope, is a British colony and heavily fortified, the other, Cape Horn, is commanded by the Falkland Islands. The trade routes or lines of communication which round these capes are therefore under British surveillance. And whilst we find those imperial communications which traverse inland seas or lie along the coast lines of the world, linked at convenient spaces by British possessions, we further find that such lines of communication as lie out in the ocean are even more conveniently provided with British harbours of refuge. The numerous islands in the Pacific varying in size, belonging to Great Britain, will spring into great importance with the completion of the Panama



Canal. In the Indian Ocean such islands as are most conveniently placed along trade routes either from the Cape to Australia or to India are in the possession of Great Britain.

It has been shown in Chapter XI that the security of these trade routes or lines of communication rests upon sea power, but it must be borne in mind that sea power depends upon coal. Therefore, the power possessing the greatest number of fortified coaling stations distributed at convenient distances over the ocean has the command of the sea. But if these possessions rely upon naval defence for their retention, instead of becoming the most powerful auxiliary to sea power, they immediately become a grave source of weakness.

The difficulty the Russian fleet had in finding coal along the route in its voyage from the Baltic to the East in the late Russo-Japanese war, and the fact that the transport of this fleet to Eastern waters could not have been undertaken but for the friendly assistance of France in allowing the use of her colonial coaling stations, is an illustration of the momentous bearing of coal supplies on the next naval war. Coal will be just as necessary to warships as food to armies. It is, therefore, essential that a sea power intent upon retaining its command of the sea should adequately defend each link, in the shape of its coaling stations, in its line of communications, in order to enable the fleets to be as powerful and independent as possible. This defence should take the form of land batteries. Yet another glance at the map of the world will show that the British Empire has also been peculiarly favoured over other naval countries in the distribution of coalfields along the great trade routes. The quality of coal has its bearing upon sea power. A coal which by its smoke betrays the whereabouts of a fleet an hour before the fleet comes in sight may be responsible for changing the course of a war. Fortunately, coal of an almost smokeless quality is very evenly distributed over the Empire. The coal of South Wales has long been in demand by all nations, and naval battles have been fought upon British coal. The coal of Natal in South Africa is equally good, and by reason of the geographical situation of this colony can economically feed all the imperial coaling stations in the South Atlantic and Indian oceans. The coal of Westport in New Zealand is, together with that of New-

Difficulties of the Russian fleet in the war with Japan.

Other powers lack coaling stations.

castle in New South Wales, of the finest smokeless quality. What we possess our enemies will suffer for the want of, and in many cases will be driven to make determined attempts to wrest from us. Our tremendous strength upon the seas to-day depends not so much upon the number and favourable distribution of coaling stations and harbours of refuge as on the fact that, with the exception of France, all possible enemies lack this, the main support of sea power. The operations of their fleets are, therefore, restricted to home waters.

Importance of  
coaling  
stations.

Now, whilst nature has been most liberal to the Empire in the geographical configuration of many of our possessions, and the wisdom of our ancestors is displayed in their situation, it would appear as if we had failed to appreciate the great importance most, if not all, of these supports of Empire will play in the next war. When that war does break out it may be too late to set about fortifying and garrisoning many of our, at present, unimportant possessions, but which if once in the hands of the enemy will be of the utmost importance to him either in breaking those lines of communication described as being a continual threat upon them, and thus indirectly weakening our fleets. It will be conceded from the foregoing that it is essential that the circulation along the main trade routes between the various portions of the Empire should be uninterrupted. In this respect the Empire closely resembles the human body, its actual life depending upon certain arteries.

Nerves of  
Empire.

Still likening the Empire to the human body we will come to the equivalent of the nervous system. In the Empire this is represented by the electric cable and telegraph lines which connect up almost every scattered portion, reducing what would otherwise be an unwieldy conglomeration of parts to order and system, and enabling the efficient government of all as one.

In tracing the rise of the Empire we have observed how much was due to private adventure and enterprise. Nearly every possession now proudly waving the British flag is either directly or indirectly responsible for this to the adventurer or the merchant in search of gain. It is the merchant we have to thank for our trade routes ; he it was who often forced the

hands of statesmen and laid the lines upon which the Empire has since travelled. And so it is to private enterprise that the Empire is responsible for the expensive cable and telegraph systems that to-day have such an important bearing upon its administration, and will in war assist in its security.

In 1851 the first submarine telegraph cable was laid between Dover and Calais. The few persons who risked their money in this enterprise were actuated by commercial considerations. To-day there are 1755 cables in the world representing approximately 200,000 nautical miles. The private firms of Great Britain alone control 120,000 nautical miles of these cables. Twelve of the fifteen cables which connect Europe with America and Canada start from Great Britain. Gibraltar is connected with England by four cables and with Malta and Alexandria by three. Four British cables run through the Red Sea, three of which proceed to Bombay and the other goes south to Zanzibar. Australia and the Far East are connected with Great Britain, and the rest of the Empire by two cables running from Madras and Penang and Singapore. Australia and New Zealand are joined by a double cable between Sydney and New Zealand.

Both an Eastern and a Western cable system connect South Africa with Great Britain. One drawback as far as the British Empire is concerned lies in the fact that, with the exception of the All Red Route, cables connecting her distant possessions touch foreign soil. In October 1902 the All Red Route was completed. This runs from Great Britain to Vancouver, via Newfoundland, thence to Fanning Island; from Fanning Island to Fiji; from Fiji to Norfolk Island; from Norfolk Island to New Zealand; and also from Norfolk Island to Australia. This cable is the property of the Governments of the United Kingdom, Canada, New Zealand, and Australia, and is managed by representatives constituting the first truly imperial board yet created.

A cable of strategic value is one which connects South Africa and Australia, via Mauritius, Rodriguez, and the Cocos Islands.

The more important British possessions are connected by such a number of cables taking different routes that it would be well-nigh impossible to cut off communication between

1755 cables  
now exist.

All Red  
Route.

Efficiency of  
modern  
telegraphy.

them by severing one or more of the main cables. In the event of all the Atlantic cables from Great Britain being cut, Canada and the West Indies could still be communicated with, via the Mediterranean, Indian Ocean, and Pacific lines. For administrative purposes, for defensive instructions, and for commercial inquiries, New Zealand is no further from London to-day than Liverpool or Manchester. The name of a vessel or the number of ships in a suspicious-looking squadron passing St. Helena, off the West Coast of Africa, or the Cocos Islands, midway between Ceylon and Australia, would be known in London and every other important part of the Empire before the ship or fleet had travelled a further twenty miles. Each year that passes makes our imperial communications more secure. Commercial interests call for their continued augmentation and the creation of new routes. Whilst ten years ago it would have been possible for a determined enemy to have cut the cable communications between the varied parts of the Empire, to-day such is quite impossible. The advent of wireless telegraphy has made quite secure the imperial communications, and has given an inexpensive means of connecting up the more out-of-the-way and less important possessions. Each year the power of the wireless transmitters is increasing and extending the sphere of influence.

Utility of  
wireless  
telegraphy.

A proposal of the utmost importance has but lately been put forward in connexion with wireless telegraphy, which, if adopted, will increase considerably the sphere of imperial communication. The accompanying map illustrates the scope and utility of a suggested wireless telegraphic all-British scheme. The shaded portions of the map show the area of communication as between individual stations and that in which the ships of the world could be in communication from time to time with the shore throughout the voyage.

The map illustrates how and in what directions communication would be established between every part of the British Empire and every other part, and the scheme is based on the present capacity of the Marconi system, namely, to carry messages regularly and accurately over the 2000 miles which separates England from Canada, and takes no account of future improvement.





The suggested route is from England to Malta (station No. 1); from Malta to Cairo or Alexandria (No. 2); from Cairo to Aden (No. 3); Aden to Bombay (No. 4); Bombay to Colombo (No. 5); Colombo to Singapore (No. 6); Singapore to Perth (No. 7); Perth to Adelaide (No. 8); Adelaide to Sydney (No. 9); and from Sydney reaches Wellington (New Zealand) (station No. 10). Branching off from Singapore (station No. 6), communication would be made with Hong Kong (No. 11). Two routes would link England with South Africa, one down either coast of the continent. From Aden there would be communication with Mombasa (No. 12), and from Maritzburg with Cape Town (No. 17). Alternatively England would be linked directly with Bathurst, with Sierra Leone (No. 15); Sierra Leone with St. Helena (No. 16); and St. Helena with Cape Town (No. 17). Meanwhile two intermediate stations at Mauritius (No. 18), and Nelson Island (No. 19), would provide another route to England and Australia, and connect both these countries with Africa. The first stage in the westward route has been accomplished already by the establishment of a station at Glace Bay in Canada (No. 20). Another station is contemplated at Montreal (No. 21), to communicate with the West Indies (No. 22). Finally two more stations, one at British Guiana (No. 23), and another at Vancouver, on the Pacific coast (No. 24), would complete the circle of the Empire and the world.

Telegraphy is  
a great advantage to the  
Empire.

During the earlier stages of the growth of the Empire effective administration was seriously hampered by the distance that had to be covered and the time that had to elapse before information and instructions were received and acted upon. Undoubtedly this drawback was one of the determining factors in the secession of the American colonies; before misunderstandings could be removed by explanations, the breach between colonists and mother country had widened irretrievably. A misunderstanding between the British Ministry and the local Ministry of Natal occurred over the native disturbance in that small colony in 1906. Had it taken months instead of minutes for the British and colonial Ministers to communicate with each other, undoubtedly the "cut the painter" doctrine would have been accepted by the colonists, and would have spread throughout South Africa. But

explanations disclosed the fact that there were misunderstandings on both sides, and upon more ample information being transmitted over the cable, the matter was cleared up to the satisfaction of both parties.

The bearing that electrical communication between the component parts of the Empire must have upon a closer political union between them is very important. In the first place, the almost instantaneous exchange of ideas between the inhabitants of one part of the Empire and another, means that similar questions are being considered simultaneously throughout the Empire, and that the thought of the Empire is being rapidly harmonized. The electric cable has long since been responsible for the smooth and efficient working of commercial federations, federations which would have been quite impossible but for the means of immediate communication. Most of these business unions have their headquarters in London, and from there each morning issue instructions to managers in Hong Kong, New York, Sydney, Cape Town, Johannesburg and many other parts of the world, receiving reports from each branch office many times during the day. The branches are themselves, before the day is over, in possession of the news from each other.

One of the most important results that may be looked for from electrical communication will be upon the character of the inhabitants of the Empire. As the same questions and similar criticisms are considered simultaneously in all parts of the Empire, similar trains of thought will be habitually started and followed by a growing mass of people; and although the conclusions may be of varying degree, yet it must be that this continual process of thinking upon the same questions placed before them in similar language conveying the same meaning will have the effect of making more even the character of a people inhabiting the different parts of the globe. It promises greater unanimity among the people of the Empire where questions involving the security or prosperity of the Empire arise.

That wireless telegraphy must exercise an important bearing upon the security of our imperial communications and add greatly to our sea power is obvious. The contrary would of course have been the case had it not been that all

Wireless  
Telegraphy.



the more important positions for the erection of wireless installations are in the possession of Great Britain. But as it is, it still further reduces the cruising radius of our probable enemies whilst it considerably increases our own.

Most of the larger vessels of the British mercantile marine are installed with Marconi instruments. Thus in the event of war they can be warned in time of the vicinity of hostile cruisers, and can in turn warn others. The safe route to be taken and the particulars of a dangerous route can be given to them from shore even though they be in mid-Atlantic.

It has been shown that our imperial communications are dependent for their efficiency in time of peace and security in time of war on the apparent order and system in which British land possessions are linked along them. But it has been observed that many, the greater number in fact, are solely dependent for their security upon naval defence, a wicked extravagance which if put into practice might mean the loss of the command of the sea.

Undefended  
condition of  
some of the  
imperial  
links.

Now the efficient government of the Empire, just as the efficient administration of the federated commercial houses already referred to, depends upon the perfect circulation along our imperial communications, and this can only be assured if first the Navy be unhampered with coast defence, and secondly, if each possession, however insignificant it may appear to-day, be adequately defended. It seems inexplicable that possessions having such an important bearing upon our command of the sea as Norfolk Island (a cable station), the Cocos Islands (cable station) and Tristan da Cunha in the centre of the South Atlantic, should remain practically undefended. And yet there are many more almost as important in the same undefended condition, only waiting for the outbreak of a naval war to be seized by the enemy and converted into fortified coaling stations.

In the hands of Japan, Norfolk Island would be an ugly threat to both Australia and New Zealand, and would seriously threaten our imperial communications in that part of the world.

Good and efficient government is impossible with faulty communications. In the case of the British Empire these must also include trade routes, and the protection of our commerce means the protection of our means of intelligence.



## CHAPTER XIV.

### IMPERIAL COMMERCE.

THE maritime commercial interests of the British Empire differ both in degree and in kind from those of any other power. England, the heart of the Empire, and therefore the vital member, exists by her maritime commerce. If the security of this commerce is not maintained in war as it is in peace she, and together with her the Empire, must surely perish.

Importance of  
commerce to  
Great Britain.

Great Britain owes her commercial superiority to her favourable situation for foreign commerce. It is recorded by the ancient historians that when Carausius, the Roman governor of Britain, threw off the yoke of Rome, he succeeded by means of his fleets in maintaining his independence for sixteen years, and even in those days Britain had assumed her station as a respectable maritime power. We have shown how the extent of her sea-coast, the limited area of arable land and the intrepidity necessity imparted to her seamen, were responsible for England's sea power. Add to these reasons her happy situation with reference to external commerce, and we can understand Great Britain's rise as a commercial power. Placed midway between Northern and Southern Europe, the English ships had only half the distance to travel to supply the wants of either; and thus their ships became the readiest vehicle by which the productions of the North and South were mutually exchanged for each other. Then later on, when the passage round the Cape of Good Hope was discovered, the situation of England was found to be the best adapted of any country in Europe for the formation of a great market for Asiatic merchandise; and thus it became, to the destruction of Venice, the centre of that lucrative traffic.

With the British colonization of North America and the gradual increase of the Anglo-Saxon race in that vast country there opened a market for manufacturing industry greater than any other then in existence. Great Britain alike by its situation, its advantages, and its dangers, was fitted by nature for commercial greatness; "and the empire of the seas was in a manner forced upon it by Providence, as a part of the mysterious design going forward for the colonization and peopling of the earth".<sup>1</sup>

But nature has blessed Great Britain in many more ways than in her situation and a climate which calls for labour. The mineral wealth is such as makes for national advancement. Coal, iron, and tin are found in abundance and are commodities readily purchased by her neighbours. It is to the presence of these valuable elements of manufacturing greatness that the fabrics of Yorkshire, Lancashire, and Wales are to be ascribed.

But it is during the last century that Great Britain, and with her the Empire, have assumed such gigantic proportions as a commercial power. For the mind to grasp adequately the advance made it is necessary to quote from the Budget of 1801.

Budget of  
1801.

Notwithstanding the unexampled difficulties which beset Great Britain and Ireland in the years of 1799 and 1800, from the extreme severity of the scarcity during that period, and the vast expenditure which the campaigns of these two years had occasioned, the condition of the Empire in 1801 was to an unprecedented degree wealthy and prosperous, and it is from that year that one may date the rise of the Empire as a commercial power.

Mr. Pitt stated that the war revenue of the nation for the year 1801, exclusive of the permanent income, which was £27,400,000, was as follows:—

<sup>1</sup> Allison, "History of Europe," Vol. II, p. 116.

*Income.*

Sugar, malt, and tobacco - - - -	£2,750,000
Lottery - - - - -	300,000
Income tax - - - - -	4,260,000
Duty on exports and imports - - -	1,250,000
Surplus of the consolidated fund - -	3,300,000
Irish taxes and loan - - - -	4,324,000
Balance not issued for subsidies - -	500,000
Surplus of grants - - - - -	60,000
	<hr/>
	£16,744,000
Loan - - - - -	25,500,000
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Ways and means - - - - -	£42,244,000
Permanent income - - - - -	27,400,000
	<hr/>
Total income - - - - -	<u>£69,644,000</u>

*Charges.*

Navy - - - - -	£15,800,000
Army and extraordinary - - - -	15,902,000
Ordnance - - - - -	1,938,000
Miscellaneous - - - - -	757,000
Unforeseen emergencies - - - -	800,000
Permanent charges of Ireland - - -	390,000
Deficiency of income tax - - - -	1,000,000
Discount on loan - - - - -	200,000
Deficiency of malt duty - - - -	400,000
Deficiency of assessed taxes - - -	350,000
Deficiency of consolidated fund - -	150,000
Exchequer bills of 1799 - - - -	3,800,000
Sinking fund - - - - -	200,000
Interest of exchequer bills - - - -	460,000
	<hr/>
Charges - - - - -	£42,147,000
	<hr/>
Interest of debt - - - - -	£19,945,624
Sinking fund - - - - -	5,528,315
	<hr/>
Total - - - - -	<u>£67,610,939</u> <sup>1</sup>

The population of the United Kingdom was returned at Rise in prices. 15,441,000. The expenditure of over £67,000,000 a year by Government, at a time when money was of greater purchasing power than to-day, and the increase of the issues

<sup>1</sup> "Annual Register, 1801," p. 379.

by the Bank of England from £11,000,000 in 1798 to over £15,000,000 in 1801 produced a most extraordinary effect upon national industry. Prices of every species of produce rapidly and steadily rose; that of grain in 1800, exclusive of the effects of the scarcity of that year, was double what it had been in 1792, and every other article advanced in a similar proportion. The consequence was that the industrial classes were, generally speaking, in affluent circumstances; large fortunes rewarded the efforts of commercial enterprise, the demand for labour, encouraged by the employment of nearly 400,000 soldiers and sailors in the public service, was unbounded; the numerous indirect taxes, heavy though they were, did not appear a burden amidst the constant rise in the money price of the produce of industry. The following table will assist to illustrate the progress of commerce in the Empire since the year 1789; but it is hardly a true measure of our progress, for the method of keeping accounts prior to the adoption of free trade was such as would not reveal the true growth of commerce, and in consequence these facts are used in argument by free traders and protectionists alike:—

British commerce.	Year.	Imports.	Exports.	Declared value of exports.	Tons British shipping.
	1789.	£18,372,149	£22,147,361	£29,346,391	1,272,114
	1790.	18,921,347	23,021,472	29,862,112	1,321,231
	1791.	19,659,858	24,904,851	29,671,462	1,363,483
	1839.	62,004,000	110,198,716	53,233,580	3,000,000
	1840.	67,432,964	116,479,678	51,406,430	3,512,480
	1841.	64,377,962	116,903,668	51,634,523	3,619,850
	1908.	718,976,615	585,963,595	—	18,709,537

From the above table it will be seen that Great Britain as a commercial power has grown at an accelerating speed. The rapid strides made after the general peace at the beginning of the nineteenth century is proof that commerce is the handmaid of peace. On the outbreak of war and during its progress public attention is at once diverted from industrial to military pursuits, and commerce must suffer. With the declaration of peace France ceased for a time to be a serious competitor, and what is now the German Empire was a number of small independent states waging continual tariff



wars upon each other. In the old Prussian provinces alone there were no fewer than fifty-three different customs frontiers, and it was only with the growth of the *Zollverein* that internal freedom brought with it commercial consolidation for the present-day rival of the British Empire.

The heavy debts and taxes together with the serious currency complications which the Napoleonic wars left the European nations, added to the fall of prices which was the necessary effect of the sudden closure of a heavy war expenditure and absorption of labour, had a crippling effect for many years on trading energies. Yet even under such circumstances commerce is usually found, on its well-established modern basis, to make steady progress from one series of years to another. The powers of production had been increased beyond the wildest dreams of man by a brilliant development of mechanical arts and invention. The United States had grown more rapidly than ever anticipated into a commercial nation of the first rank. The European colonies and settlements in different parts of the world were being extended and assiduously cultivated, and were opening larger and more varied markets for manufactures. Each decade of the nineteenth century saw some new departure in science or art which in itself marked an epoch in this sudden career of advancement which Europe in general and Great Britain in particular had now entered upon. The first steam-propelled vessel crossed the Atlantic from New York to Liverpool in the year 1819. To-day the British Empire owns 9680 steamers of over 100 tons burthen out of the 21,550 owned throughout the world. In 1825 the first steamship voyaged between England and India. These were in their day as great events as Monsieur Bleriot's aeroplane flight across the English Channel; they were in themselves the harbingers of trade. It was also in the beginning of last century that there were signs, in the general prominence given to the study of economic principles, of a growing public opinion in favour of greater freedom of trade; greater prominence was given to this by China, after many efforts, being opened under treaty to intercourse with foreign nations.

We have said that the commercial advancement of Great Britain began to take definite shape and to make headway

Nineteenth  
century  
progress.

Anglo-Ameri-  
can trade.

with the opening of last century. The American War of Independence had no lasting effect upon the commercial relations between Great Britain and her late colonies, as was fondly anticipated by France. The American colonies were entirely English. They were knit to the mother country, not by laws and Governments, but by identity of origin and language, similarity of character, habits, and political institutions. The English manufactures were necessary to countries utterly destitute of all but agricultural industry; the English merchant sold cheaper and on larger credit than any other in the world. Not only the best goods for the money were to be had from him, but goods of such an excellent quality were not to be had for money in any other quarter. Not only prompt payment was dispensed with by the English trader, when all other dealers insisted on it, but the former regularly allowed his American customers to retain the use of his capital until it had yielded the gross profits, and then was satisfied with a smaller portion of the gain for his net allowance than other lenders could afford to take. All these advantages, the consequences of established skill and long experience, with a great stock, and old habits of mutual dealings, were sufficient to preserve the mercantile connexions between the mother country and her late colonies in full force even if the powerful ties of language, manners, and blood had not united their influence in the same direction. Compared with these bonds of attachment, what were the obligations which the colonies owed to France for assisting them in throwing off the yoke of Great Britain? The Americans, indeed, never believed that France was their real friend; they only gave her credit for being the enemy of England. But, although they had acknowledged the full extent of their debt, and felt the utmost gratitude of which their nature admitted, would such feelings have followed them into their counting houses and warerooms? With all their gratitude to their deliverers would they have altered one inch the course of a single penny, destined, like all the pence of all the traders and all the consumers in the world, to follow, not the objects of their attachment, but the cheapest goods and the easiest creditors? There is no wonder, then, that the trade between England and America should have

continued in its wonted channel, in spite of their political separation, and of the political services of France. That channel is never open to any public influence, and feels only the force of one motive, individual interest. But the reasons actuating the commercial intercourse between Great Britain and her late colonies immediately after war were not appreciated by the French, and the French Government were blamed by many of their countrymen for not retaining the American trade when peace between England and America was declared. M. Talleyrand<sup>1</sup> wrote at this time: "The conduct of government during the first years of peace, determines the commercial relations of the State, and if the rulers cannot seize the moment for turning the period of tranquillity to their account, it almost inevitably operates against the best interests of the country". M. Talleyrand and many of his contemporaries blamed the old Government of France for having prepared, by its impolitic conduct, the renewal of the commercial relations between England and the United States. France, according to them, should have endeavoured to multiply and extend the connexions which during the war she had established with the people of America. Instead of this, she began to fear the introduction of those principles at home which she had fostered abroad, and discouraged all further intercourse. Now, although this discouragement of intercourse was certainly a ridiculous as well as an impolitic measure, it would be difficult to show what active means could have been used to prevent the renewal of the trade with England, or even to increase in any sensible degree the French commerce with America. In the face of all the circumstances already stated, the force of which must have been omnipotent in favour of the English market, even if France had spent her whole revenue in senselessly pushing her American trade by encouragements, how can it be supposed that the new relations between America and England could be in the least degree affected by any measure which the French Government might pursue. Unless the *ancien régime* possessed the power of making the merchants richer,

<sup>1</sup> "Mémoire sur les Relations Commerciales des États-Unis avec L'Angleterre, par le Cit. Talleyrand.

the manufacturers more skilful, and the people more English than the English themselves, a feat which *lettres de cachet* have never been known to perform, it cannot be blamed for not having drawn away the Americans from the markets of Great Britain.

French  
jealousy of  
British trade.

That France had kept a jealous eye upon the growing commerce of Great Britain and had on many occasions endeavoured to crush it is evidenced by the Orders in Council issued at the beginning of the century. These Orders in Council took their origin in a decree promulgated by Napoleon at Berlin, on 21 November, 1806; by which he declared the United Kingdom to be in a state of blockade, that all commodities of English origin, or belonging to Englishmen, were good prize, and that no ship from England or her colonies or which should have touched there should be admitted into any harbour belonging to France, or occupied by her troops. This was replied to by Great Britain by an Order in Council, dated 9 January, 1807, by which we interdicted neutrals from the whole coasting trade from one part of France to another; and in November, 1807, a series of new Orders were promulgated by which we declared that we would permit no trade with France and her dependencies except through England, all neutrals bound to these countries being required in the first instance to touch at our ports and pay a duty to our Government, and that every vessel which had not a certificate of origin on board should be declared lawful prize. To this extraordinary edict France finally replied by what has been called the Milan Decree, declaring in substance that any vessel which in any way submitted to our Orders of 11 November, or which had been searched in the course of her voyage by an English cruiser, should be considered as lawful prize. This is the sum of these unprecedented enactments, and the consequence was that between the French decrees and the English Orders, all neutral trade was effectually annihilated.

Unstatesman-  
like policy of  
Britain.

This policy was not only extremely oppressive towards the unoffending neutral, but had a disastrous effect upon the commerce of both the belligerents, and most disastrous of course to that which had most commerce and depended most upon its prosperity. The policy of retaliation on the part of



Great Britain would appear to have been quite unnecessary and to have acted against her own commercial interests, and for this reason France by this time had become absolutely impotent on the seas, and therefore her declaration of blockade and her threats of making prize of all neutrals attempting to enter our ports was a mere empty threat—alike ridiculous and harmless to us and to the neutral. Our direct trade with the neutral, therefore, was no more destroyed by that declaration, than our lives or comforts could be destroyed by the Pope's excommunication. It was obvious, therefore, that while the neutral was encouraged to trade directly with us, and the demand for our goods continued so eager all over the continent, ample opportunities would be found for evading those prohibitions. It was our policy, therefore, to encourage the neutral and to assist him in finding those opportunities. Instead of this the British Government issued a series of Orders the obvious and necessary effect of which was to drive the neutral flag entirely from the ocean and to cut off what remained of our indirect trade with the neutral, the only foreign commerce that was left to us.

Such then was the character of our measures considered as measures of commercial policy, but which if persisted in would have utterly and irretrievably crushed British commerce. The apology given for adopting these absurd and unbusinesslike measures was that they were measures of retaliation against France, and intended to coerce her into justice, by the distress they would inflict upon her. But the decrees of France neither did nor could prevent our direct trade with the neutral, and therefore there was no injury inflicted which could be retaliated for by cutting off her direct trade with the same party. Her decrees were merely nominal interruptions to our trade. Considering the population, the Government, and the territory of France, the idea of distressing her or affecting her councils by cutting off her trade with America, was obviously quite chimerical and absurd.

The experiment was found to react so seriously upon ourselves that after a few months it was abandoned, and the whole plan of retaliation substantially retracted by our adoption of the system of licences, by which Great Britain permitted French vessels to carry on that trade from which

we had excluded the neutral, upon the sole ground of the necessity of cutting off all trade, directly or indirectly, with the French Empire. And finally in April, 1809, when the licence system was fully matured, we openly rescinded our Orders in Council of November, 1807, and substituted in place of them a general blockade of the greater part of Europe, which we enforced rigorously against all neutrals, but dispensed with in favour of the enemy, whose distress was its only pretext, and with whom we carried on an immense direct trade under the cover of licences.

Policy of  
granting  
licences to  
French ships.

The absurdity of this conduct, from a commercial point of view, and its flagrant unfairness towards the neutral, are so palpable that further exposition is scarcely required. But it is really surprising that its tendency to forward the enemy's great object of the creation of a navy should have attracted so little observation. While things were left in the neutral state to which the war had reduced them, and the communication between the belligerents was permitted to remain in the hands of neutrals, he might build as many ships as he thought proper, but he could have no seamen accustomed to navigation wherewith to man them. But by our system of licences he was assisted to get over this difficulty. He for a time took a certain quantity of our colonial produce and manufactures, such indeed as best suited his own purposes, making us at the same time take in return a certain portion of the raw produce of his own states, as bore most heavily on his home market. But this intercourse was carried on entirely in French vessels, navigated by French sailors, and Great Britain's new policy astonished the whole world with this extraordinary spectacle, that when the French flag was swept from off the seas by the superiority of our navy, when even the neutral flag had been banished, in order to cut off France from all the resources of trade, our ports were filled with French ships and French sailors, whom we were fostering up in order that they might in some future day again contest the empire of the ocean; and thus after having driven the Americans from their neutral trade, in order that France might be starved into reason and submission, we allowed Frenchmen themselves to enter the ports from which our kinsmen were excluded. We supplied their hospitals with

medicines, their soldiers with clothing, and their armies with muskets, while we took back silks which ruined our own manufacturers, laces which drove our own out of the market, and corn which hurt the enterprise and zeal of our own farmers in the conversion and cultivation of their waste lands.

It is indeed curious that little mention has ever been made of the effects that this remarkable commercial policy of Great Britain produced on the councils of America. The intention of the British Government to adopt some violent measure against the commerce of France was known at Washington at the beginning of December, 1807. And upon the 22nd of that month an embargo was laid upon all American vessels in the ports of the United States. This measure was followed, upon 4 March, 1809, by an Act, by which all intercourse was prohibited between that country and the two hostile countries of France and England. In April of the same year that Act was suspended as to Great Britain by the President's proclamation. In consequence, however, of Great Britain disavowing this proclamation, the non-intercourse as to that country was renewed on 10 August, 1809. On 1 May, 1810, Congress, by an Act, repealed this law as to both belligerents with a promise, that if the terms which were therein held out, namely, the revocation of their respective Orders or decrees, were not complied with by a certain day, some measure of retaliation should be adopted against both or either belligerent, as the case might be. The French Government acceded to the terms in a manner which satisfied the American Government, which fact was announced by a proclamation of the President, dated 2 November, 1810. But in consequence of Great Britain adhering to her measures of severity Congress passed an Act dated 2 February, 1811, by which all importation into the United States, of goods, manufactures, and produce of these kingdoms was prohibited, and this continued to be the state of affairs down to 23 June, 1812, on which date as a result of a parliamentary commission of inquiry the Orders in Council were repealed. But the four years and seven months during which these Orders had been enforced, had proved to be a more eventful period to the commercial interests of Great Britain than any period of its previous history. For it had the effect of so

Tariff war  
with America.

depressing certain manufactures in Great Britain that it was only after the creation of new markets several decades later that they were able to recover, but it likewise had the effect of creating the power of production among the Americans themselves. Prior to the prohibitive Orders the colonists were content to draw all they required from the mother country, who by reason of an increasing output was able to supply cheaper than the Americans could have done with but a limited demand. At this time it is stated that there were four million Negroes in the United States, each of whom used 40s. worth of clothing per annum all of which was imported from Great Britain. It is estimated that these short-sighted Orders cost the manufacturers of Great Britain a matter of eleven millions a year for the period they were enforced. But this unnatural interference on the part of a Government with the commerce of the country had a more far-reaching effect than this immediate loss, for until the Orders of 1807 a long course of domestic peace had brought all her manufactures to a state of unrivalled perfection—an immense capital had been accumulated, which was generally laid out in schemes of trade—in cultivating new and improved machinery for abridging labour, or in establishing new branches of commerce. By the success of these experiments, the wealth and prosperity of the country was increased, art and industry flourished, the manufacturers vied with each other in the cheapness and perfection of their work, and the markets, in which the produce of this country was consumed, were gradually enlarged, far beyond the measure of its own demand. Great Britain became a vast storehouse for the productions of industry, and her commerce consisted generally in the exchange of her finished work for the rude produce of other countries deficient in capital and manufacturing skill. Such, previous to the unnatural interruption described, was the commerce carried on with the countries in the north of Europe, with Russia, Poland, Sweden, and Denmark. An immense supply of manufactures was also afforded by this country to the markets of Germany—and our exports to America had been rapidly increasing ever since the close of the American War. The peculiar circumstances of this rising country eminently adapted it to be a great market for the productions of Great



Britain. With an almost boundless extent of fertile and unimproved territory, and an active and industrious population, America devoted her whole capital and industry to the cultivation of the soil; abounding, in consequence, with a continual supply of subsistence her inhabitants were always on the increase; while, with the exception of the main article of food, she was totally unable to provide for their most necessary wants. Great Britain, on the other hand, rich in capital, and still more in the art and industry of her numerous artisans, abounded in all that was necessary to supply the wants of the American community; and as America advanced in wealth, improvement, and population, a continually increasing market was opened for the manufactures of Great Britain.

In this manner then the commerce of Great Britain had gradually expanded beyond the bounds of its own narrow territory, and had adapted itself to the supply of the world. All her manufacturing establishments were laid out upon this enlarged scale; the whole scheme of her industry was accommodated to it, and such an assortment of produce provided, as was entirely useless for her own consumption, and could only be of value as an equivalent for the produce of other nations. Her trade had a continual reference to the foreign market; this was the great principle upon which it was regulated, the source from which employment flowed to all classes of her industrial inhabitants; and in these circumstances, this vast commerce which was spread over the whole extent of the globe, covering both sea and land, was suddenly pent up, by a train of ill-concerted measures, within the narrow bounds of the British territory. The consequence of such an exclusion may be easily calculated. All these manufactures, which depended for support on the foreign market, were suddenly checked. The demand was no longer adequate to support them, and though they were continued for some time in the hope of an improving market, the largest capitals were soon exhausted in the manufacture of unsaleable produce. An exhausted capital was followed by commercial embarrassments, merchants were reduced to bankruptcy, and manufacturers thrown out of employment were consigned to beggary and want. The labouring classes were formerly employed in supplying the extensive demands

Disastrous results.

of the world's markets; but when these were closed against British goods, the demand of course ceased, and there was no longer any employment for those by whose industry they were formerly supplied. Other causes may have concurred in producing the general distress of the country experienced at this time. But it can scarcely be doubted that the calamity originated in the rigorous prescription of British trade both in America and Europe, and it stands as one of the most valuable lessons in the government of Empire. Prior to the Orders in Council of 1807 endeavours had been made time and again to start manufactures in America, just as to-day similar endeavours are unsuccessfully made in certain of our colonies to start manufactures to supply local demands. But these attempts were not successful, for the British manufacturer, owing to the extent of his output, was able to specialize and throttle rising American competition in its infancy. But this competition ceasing for nearly five years, gave these infant industries the start required. But even the after effects of this policy of retaliation lasted for many years, for during the period in which the oversea markets were closed to her, the stocks of all descriptions accumulated to an excessive degree, and it took many years for these to be disposed of. But at this period in the history of Great Britain her dependence on foreign sources for her food supplies caused grave anxiety, and in 1813 a committee of the House of Commons was appointed to inquire into this question. The report of this committee showed that the value of foreign corn imported in the twenty-one years from 1792 to 1812 was 58½ million pounds sterling; the average price for the last four years that the report covered was 105s. 3d. The committee recommended as a remedy the adoption of a protective policy. In 1815 a "Corn Law" was passed. Until wheat was 67s. per quarter importation was prohibited; at that price wheat could be imported from the colonies, duty free; but it was not until wheat rose to 80s. that it could be imported from a foreign country. The history of the rise and expansion of British commerce bristles with Acts or Orders in Council of a repressive nature, and it is indeed an elegant tribute to the patience, tenacity, and commercial ability of the people to discover that British commerce made headway in spite of

repressive legislation. The origin of the Navigation Laws of England may be traced to the reign of Richard II or perhaps to a still more remote period. In the reign of Henry VII the importation of certain commodities, unless imported in ships belonging to English owners and manned by English seamen, was prohibited. In the early part of the reign of Elizabeth (5 Eliz. cap. 5) foreign ships were excluded from our fisheries and coasting trade. The Long Parliament gave a great extension to the Navigation Laws by the Act of 1650, which prohibited all ships, of all foreign nations whatever, from trading with the plantations in America without having previously obtained a licence, and in the following year the same Parliament passed the famous Act of Navigation. This was intended to promote our own navigation, and also to strike a decisive blow at the naval power of the Dutch, who then engrossed almost the whole carrying trade of the world. This Act was adopted by the regal Government which succeeded Cromwell, and forms the principal provisions of the statute, 12 Charles II, cap. 18, and which was pompously designated the *Charta Maritima* of England. The Navigation Act fulfilled the purpose for which it was passed, for the Dutch lost at a blow a proportion of their trade estimated at one-seventh, and British commerce benefited correspondingly. But it was not long before the Act of Navigation, with many of its absurd restrictions, began to react against ourselves, especially in the West Indian and Canadian colonies. This Act also fell heavily upon the only important manufacture of Scotland, viz. linen. In 1823 Mr. Huskisson, afterwards Secretary of State for the Colonies, succeeded in modifying the Navigation Laws, by arranging reciprocal concessions with other countries. In 1849 the Navigation Acts were repealed. At the time of their enactment they effected their purpose, but they seriously fettered British commerce, and were unnecessary but for the purpose of their original enactment. At the date of their repeal the proportion of shipping carrying our oversea trade owned by British shipowners was 58 per cent, to-day it has risen to 71 per cent.

Effects of the  
Navigation  
Laws.

In spite of Orders in Council and Navigation Acts, a fiscal policy which invites the dumping of inferior articles to

Growth of  
British trade.

compete with our English manufactures, and allows the dregs of the continental labour markets to compete with our own countrymen in our own country—in spite of all this Great Britain has still maintained her supremacy among the commercial powers of the world. But there are signs of her lagging and threatening to fall behind, as will be presently shown.

In 1837 the revenues of the British Empire had increased to £75,000,000, of which the United Kingdom had earned £50,000,000. In 1906 the revenues of the Empire had increased to £320,000,000. That our progress is still maintained is evidenced by the following returns of the total trade of the British Empire with foreign countries :—

	1890.	1900.	1905.
Imports	£408,053,000	£527,986,000	£563,453,000
Exports	319,795,000	362,422,000	448,688,000

But even more marked is the progress of the trade between the United Kingdom and her colonies ; this was as follows :—

	1890.	1900.	1905.
Imports	£101,080,000	£121,256,000	£161,900,000
Exports	106,518,000	116,046,000	135,524,000

At the meeting of the British Association in September, 1903, Sir Robert Giffen gave an estimate as to the aggregate income and wealth of the people of the British Empire, and since then many of these figures have been confirmed by other authorities.

The statement was as follows :—

#### Income.

#### AGGREGATE INCOME.

United Kingdom	-	-	-	£1,750,000,000
Canada	-	-	-	270,000,000
Australasia	-	-	-	210,000,000
India	-	-	-	600,000,000
South Africa	-	-	-	100,000,000
Remainder of Empire	-	-	-	200,000,000
Total	-	-	-	£3,130,000,000



CAPITAL OR WEALTH.					Capital.
United Kingdom	-	-	-	£15,000,000,000	
Canada	-	-	-	1,350,000,000	
Australasia	-	-	-	1,100,000,000	
India	-	-	-	3,000,000,000	
South Africa	-	-	-	600,000,000	
Remainder of Empire	-	-	-	1,200,000,000	
Total					
	-	-	-	£22,250,000,000	

It has been shown that colonies which have an existence of barely a century are rapidly becoming of greater commercial importance to the mother country than many of those foreign countries whose commercial intercourse with Great Britain has continued for centuries. It would be distinctly misleading to quote the progress of the British Empire without giving the essential returns of those foreign powers who have in the past been her rivals, and those who to-day are apparently overtaking her; and for the purpose of comparison the table on page 302 is given; the figures are for 1907.

Now whilst it will be seen from the table that the United Kingdom more than holds her own as an exporter, it must also be borne in mind that although such countries as Germany, the United States, and Japan are rapidly increasing their exports, yet in this respect they are not increasing anything like the same ratio as some of the larger colonies of the British Empire. It is no longer Great Britain that the foreign countries have to overtake to gain commercial supremacy but the British Empire. The utter futility of any European country succeeding in this cannot be better demonstrated than by quoting from a report of the Canadian Pacific Railway. "During the six years 1902 to 1908 fourteen freight cars *a day* had been *added* to the rolling stock." As the average Canadian freight car has a capacity equal to about four English goods trucks, this means more than it looks. In the same period, the report goes on to say, a passenger coach has been added every second day and two locomotives every week.

Whilst figures have been quoted as evidence of the absolute supremacy attained by the British Empire as a commercial power, it is quite impossible to discover the actual value of

	Population and Population per Square Mile.	Revenue.	Expenditure.	Debt.	Debt Charge.	Imports.	Exports.
United Kingdom -	44,100,231 363	£ 144,814,073	£ 139,415,251	£ 774,104,704	£ 28,500,000	£ 553,932,000	£ 426,204,596
Per head -	-	£3 5s. 3d.	£3 3s. 3d.	£17 11s. 1d.	£0 12s. 9d.	£12 11s. 3d.	£9 13s. 3d.
Germany -	60,641,278 290	119,765,500	119,363,500	177,175,000	6,872,350	422,707,000	337,722,000
Per head -	-	£1 19s. 6d.	£1 19s. 4d.	£2 18s. 5d.	£0 2s. 2d.	£6 19s. 5d.	£5 11s. 4d.
Japan -	47,674,460 322	49,470,470	49,470,470	255,067,141	17,123,609	50,342,000	43,743,000
Per head -	-	£1 0s. 9d.	£1 0s. 9d.	£5 7s. 4d.	£0 7s. 2d.	£1 1s. 0d.	£0 18s. 4d.
France -	39,252,245 190	153,368,890	153,353,010	1,213,923,590	49,458,700	241,905,920	221,681,200
Per head -	-	£3 18s. 0d.	£3 18s. 0d.	£30 18s. 4d.	£1 5s. 1d.	£6 3s. 2d.	£5 12s. 11d.
United States -	83,941,510 28	137,933,190	120,411,980	511,095,120	5,092,280	296,519,000	394,859,000
Per head -	-	£1 12s. 10d.	£1 8s. 10d.	£6 1s. 9d.	£0 1s. 2½d.	£3 10s. 8d.	£4 14s. 0d.
Netherlands -	5,672,237 448	15,124,150	14,928,200	94,487,370	3,030,930	210,250,000	173,667,000
Per head -	-	£2 13s. 4d.	£2 12s. 7d.	£6 13s. 0d.	£0 10s. 8d.	£37 1s. 4d.	£30 12s. 4d.

British sea-borne commerce; and yet to bring home to the average inhabitant of the Empire the absolute need for unity among our ocean-connected units for a common naval policy for the protection of its commerce and the security of the possessions, and for a uniform fiscal policy, it is necessary to obtain some idea of how our commerce stands on our natural element, the high seas.

Mr. J. R. Thursfield<sup>1</sup> estimates the average value of goods carried per ton of shipping at approximately £90, and when we take into consideration the fact that whereas a very small portion of British maritime commerce is carried in foreign ships a very large portion of the maritime commerce of the whole world is carried in British ships; and when we bear in mind that many of the wealthiest commercial houses in foreign countries, especially in the South American republics, are British, and that all coasting trade of foreign countries is undertaken by foreign ships, we must believe that a large proportion of their cargoes is owned in transit by British merchants. Taking Mr. Thursfield's estimate as a fair one, it means that the average value of British sea-borne trade is £1,683,858,330. But no account is taken here of the British commerce carried between foreign countries, nor is it possible to arrive at even a rough estimate of this. The same authority places the value of the British mercantile marine at £10 per ton. Therefore the Navy is responsible for £187,095,370 in shipping, carrying during the year commerce valued at £1,683,858,330. Truly, the time has long arrived for the members of the imperial family to realize the stupendous values represented by the loose term British Empire.

PREFERENTIAL TRADE WITHIN THE EMPIRE.—Fortunately for the integrity of the Empire preferential treatment for the products of the imperial possessions is practically assured. The exclusion of the products of kith and kin to the advantage of the foreigner is a dangerous grievance founded upon outraged justice. Great Britain in electing to become the dumping ground for cheap surplus stocks, which at any price represents a profit to the protected producer, has driven Englishmen from her shores to become producers in the

Value of  
British  
shipping

Colonial pre-  
ference is now  
almost as-  
sured.

<sup>1</sup> Clarke and Thursfield, "The Navy and the Nation," p. 98.

colonies. Yet here again, as far as manufactures are concerned, they find the market of their native land closed whilst it is held wide open to the foreigner. Small wonder then that the breach between Great Britain and her colonies is becoming wider. Let it be borne in mind that not a single colony regrets financially, or from sentiment, having given preference to Great Britain or to sister colonies. The British Empire is self-supporting in every sense of the word, there is nothing produced in the world which cannot be equally as well produced in some portion or another of the Empire. Unfortunately our resources have never been marshalled, nor can they be, until the creation of an organizing body of experts.



## CHAPTER XV.

### EMPIRE AND THE PRESS.

WHILST the Press played an unimportant part, owing to its <sup>Power of the</sup> infancy, in the earlier stages of the building of the British <sup>Press.</sup> Empire, journalism has been more or less responsible for the efficiency of the varied Administrations governing the Empire to-day.

The power of the Press in public affairs was first realized <sup>The writer</sup> in Great Britain in the year 1768. The awakening to this new <sup>"Junius".</sup> influence was dramatic in its suddenness, and was brought about by the letters of the anonymous writer "Junius," whose identity is still a mystery. This writer's first contribution to the "Public Advertiser," the paper in which all his articles appeared, was published in August, 1768. This letter, the first of a series of anonymous articles from a pen still unsurpassed in brilliancy, took a general and candid survey of the state of the nation at that period, and particularly in regard to its funded property, the alarming and dangerous depression of which, from the still hostile attitude of France, the prospect of a rupture with our American colonies, the wretchedness of the public finances, and the imbecility of the Administration, struck the writer so forcibly, as to induce him, as he tells us, to transfer his property from the funds to what he considered the more solid security of landed estate.

For a period of five years (1768-1773) this writer influenced the policy of the Administration, and the same impression was produced upon Parliament by the appearance of his letters as was produced upon the general public. His lashing invective cut short the careers of those mediocrities family influence had pushed into Ministerial rank. The importance with which these articles were regarded by the statesmen of the day is proved by the following extract of a speech delivered by Mr.

Burke in Parliament in 1771: "Where then shall we look for the origin of this relaxation of the laws of all government? How comes this Junius to have broken the cobwebs of the law and to range uncontrolled, unpunished, through the land? The myrmidons of the court have been long, and are still, pursuing him in vain. They will not spend their time upon me or you, or you. No: they disdain such vermin. . . . But what will all their efforts avail; no sooner has he wounded one than he lays down another dead at his feet. For my part, when I saw his attack upon the King, I own my blood ran cold. I thought he had ventured too far, and there was an end of his triumphs, not that he had not asserted many truths. Yes, sir, there are in that composition many bold truths, by which a wise prince might profit."

The great influence these articles exercised at the time was not altogether due to their undoubted merit. There was another reason, and that was the fact that owing to the limited number of newspapers published in those days the reading public were able to concentrate their attention upon and study the few able articles which appeared in the one or two weekly papers then published.

The letters of Junius set a standard of journalistic style seldom reached, which though dignified was warm and energetic, and at the same time keen and sarcastic. The effect upon journalism was immediately apparent in the high standard of articles and letters which appeared in the public Press either in reply to or in support of his criticisms.

Expert knowledge possessed by journalists.

It was from this time that public opinion gradually became more and more susceptible to the influence of the Press; and journalists, realizing the power they were year by year acquiring, fitted themselves by a greater attention to, and study of, public affairs, until to-day we find many journalists more fully equipped with all the requirements of statecraft than many of the Ministers called to rule over great State departments. Many of these Ministers have, however, been wise enough to confide in and seek the advice on some particular question of gentlemen of the journalistic world noted for their knowledge of that question. Many, indeed, have been the delicate and intricate questions of State handled by an unofficial ambassador in the person of an unknown

journalist, and wise is the Minister who is not above seeking the services of men whose training and peculiar aptitude have fitted them for certain diplomatic work, and whose knowledge of the subject is greater than what circumstances and environment will ever allow that of the official to be. Of the Prime Ministers of England none have been more successful in their foreign and imperial policy than Mr. Disraeli. Yet no Minister of State relied more upon the knowledge of the journalist than he did. He realized that it was the daily work of the journalist to have reliable intelligence, in many cases more recent and reliable, as far as the outside world was concerned, than the government departments. By the ungrudgingly given assistance of this unofficial staff Disraeli was more often than not in possession of important intelligence unknown to his colleagues. It is a journalist that the Empire to-day has to thank for giving her the control of the Suez Canal. The "Pall Mall Gazette" correspondent at Cairo informed his editor that the Khedive was negotiating the sale of his shares in the canal to a French syndicate. The editor of the "Pall Mall Gazette," the late Frederic Greenwood, waited upon Lord Derby and urged him to purchase the shares on behalf of Great Britain. Lord Derby saw Mr. Disraeli, and pressed upon him the urgency of the transaction. Although the intelligence of these secret negotiations only reached London on the morning of 15 November, 1875, the following day the British Government had secured the 176,602 Suez Canal shares for £3,976,582. This transaction, made possible by an energetic and able journalist, backed up by his long-sighted chief, had far-reaching results for the Empire. It brought about the long-delayed crisis and paved the way for the future prosperity of Egypt, and it induced the British Government to inquire more closely into the financial condition of the country.

To-day we find that the intelligence department of many of the leading newspapers is more efficient than that of the Government. The reason for this is explained by the fact that the servants of an up-to-date newspaper are employed for and their remuneration and promotion are determined by their ability to carry out successfully that work which is in the interests of the proprietors of the paper. And only in the

cases of a few family-owned newspapers is sentiment and family interest allowed to interfere with efficiency, and in these few cases the papers are suffering and falling behind their competitors.

"Yellow  
Press" of  
America.

The power which a united Press can exercise upon the temper of a people is best illustrated by the Spanish-American war. This war was brought about by the exaggerated statements of the excitable Yellow Press of the United States. No pains were spared by a few wealthy and unscrupulous newspaper owners in working upon the passions of the people. In contradistinction we find the many European disputes, all of which have had in them all the elements for war, being smoothed over by the able and dispassionate journalists of the countries concerned. In many of these misunderstandings it has fallen to the Press to clear up the points in dispute, and this has often been done before the diplomats had fully grasped the subject in dispute. Had it not been for the great influence with the public held by a few of the leading English and French papers during the Fashoda affair, and their able advocacy for calmness and reason, there is little doubt that popular feeling would have been successfully aroused by that irresponsible section of the Press whose methods of journalism are in the direction of that of the Yellow Press of the United States. Whilst the British Empire has a number of irresponsible newspapers which cater for an excitement-loving public, and whose mission it would appear is to feed an abnormal hunger for the sensational, we are more fortunate than many other countries in possessing an effective check to those dangerous journals in the shape of a more solid, sober, and respected Press, whose utterances, delivered dispassionately, with accuracy and dignity, carry the same weight with the public as a notification in a government "Gazette". And it is fortunate that it is so, for an irresponsible Press carries irresponsibility into many other walks of life, private, commercial, and public; it creates distrust and sets section against section. As the tool of the unscrupulous it has no regard for the methods adopted or advocated or for the accuracy of the statements made; hence the readers become accustomed to inaccuracy and look upon it lightly. This disregard for the truth, and a habit of exaggerating current

Good influ-  
ence of a  
portion of the  
English Press.



events, gradually creeps into the daily life of the reading public, and eventually undermines the moral conduct of the people. The varying standards of morality found among the people of the United States are mainly due to the influence of the Press. In one town it will be found that wilful prevarication is looked upon as an everyday habit; upon inquiry it will be discovered that the local Press, established for some ten or twenty years, has been run all this time upon loose journalistic methods, and its stamp has been placed upon the people whose mental appetite has been fed during a receptive age upon poisonous journalism.

The character of any particular community is to a certain extent reflected through its Press; if the paper be old-established, that is, anything over ten years, it will have placed its stamp upon the character of its readers; if, on the other hand, the journal be a newly-established one, it will cater according to the accurately discovered requirements of the people, hence their character may be read through its pages. In those countries where the Press is sensational and is conducted upon loose journalistic methods, there it will be found that the Government is corrupt. It is a sure sign that the varied Administrations of the British Empire are more or less pure in their working when we find that the many attempts to establish papers of the American type have always met with failure.

It is sufficiently obvious, that with regard to political subjects and public men, the liberty of the Press may be abused in two ways. The one is, when good public measures and good public men are blamed; the other is, when bad public measures and bad public men are praised. Of these two the last is infinitely the worse. It is not only beyond all comparison the more prevalent, as being the better paid, but it carries no punishment upon detection; but it is infinitely the more dangerous and fatal in its operation. It is the screen by which, more effectually than by anything else, power is concealed in that gradual progress to despotism, and, even when nothing worse than imbecility wields the reins, it is that by which it is chiefly upheld in its blunders, till it ripens national misfortunes into national ruin. Everything the Government performs is asserted, and with pretended demonstration proved, to be excellent. Every plausible circumstance which

Press reflects  
the character  
of a people.

The worst sin  
the Press can  
commit is to  
praise bad  
Governments.

can be discovered belonging to it, is displayed in the most advantageous light and fixed habitually in the public eye, while every dangerous and mischievous circumstance is carefully disguised or hidden from the view. To the great mass of mankind whose minds are chiefly passive in the reception of their opinions and more intimately concerned with their private affairs, nothing more is needed to make them believe that their Government is admirable than perpetually to hear that it is so; and recent events have proved that, even upon the strongest minds, the tide of popular opinion, if running with any considerable strength, is all but irresistible. It is evident, therefore, that if any exercise whatsoever of the Press be an abuse, its becoming the vehicle of undeserved praise of public men and public measures is an abuse; and if mischief be the ground of complaint no other abuse presents so many cogent reasons for being restrained by punishment. When, therefore, one hears the censures pronounced by the Press made the perpetual topic of invective and execration, while all the mischief committed by it in shedding the poison of false praise is regarded with approbation, one can be at no loss for the motives of such conduct.

But false condemnation is also vicious.

When, of two national evils, the greater is adopted as a favourite, whilst the smaller is selected as the object of concentrated antipathy, one knows what to think either of the heads or of the hearts of the men who thus distribute their affections. At the same time there must be a just sense of the evils which may arise from the abuse of censure by the Press. In regard to the public transactions of public men, or their qualifications for public trusts, just as false praise is to be deemed no praise, so too condemnation that is undeserved, is to be deemed no censure. Wherever real incapacity in a public man is pointed out—wherever the real impolicy or mischief of a wrong measure is stripped of its disguise and made to appear in its own shape, then the people are served in the highest sense by the Press; and anything rather than an abuse has been effected. But when by the influence of false censure the people are made to disapprove of a good measure, or a good Minister or proconsul, and to defeat the one and deprive themselves of the other, the Press has been the source of mischief. There are, of course, two remedies against this.

There is, in the first place, refutation of the censure by the same channel, a grand and appropriate cure, and which, considering the force of truth, will generally prevail, and there is punishment, which, as often as a man brings an accusation which he cannot support, may be inflicted in measure and proportion.

The Press lays a foundation for human improvement that cannot fail, because it ensures a state of progression in every country in which it can operate at all; and increases its power in proportion to the progress which it has made. It may accordingly be observed, that, from the grand era of the invention of printing, the human mind, in every country in Europe, even the most besotted, has been gradually improved; and that its improvement has been more rapid in every succeeding age, and is at this moment most rapid in the countries which have made the greatest advancement.

In 1870 the "Times" led the way in the world in appointing a regular permanent representative in every foreign capital. To-day every important daily newspaper has its own representatives in all the important cities of the world for the collection and transmission of news by telegraph. The foreign correspondent of the great English dailies and the leading papers of our colonies is in very truth the unofficial ambassador of empire, for he has to keep a close watch upon commerce, social events, military and naval and other official movements, the literature and fine arts of the country in which he is stationed. His chief care, however, is with political affairs; to obtain the information he requires it is necessary for him to possess more than the average amount of astuteness. Official documents are closed to him,—officially—yet his adroitness often secures his access to them. His popularity at clubs which he frequents—he is always a popular member—enables him to piece together scraps of information unintelligible to others; almost invariably his conclusions are right. A late correspondent of the "Times" (W. J. Stillman) said that "honesty and courage are two qualities a foreign correspondent has no right to boast of, for his calling presupposes as a matter of course that he possesses them".<sup>1</sup>

<sup>1</sup> "Autobiography of a Journalist," W. J. Stillman.

Their cognis-  
ance of cur-  
rent events.

It will be remembered that the correspondent of the "Times" was expelled from St. Petersburg in 1903 for his hostile criticisms of the Russian Government, and the manner in which this expulsion of a private individual was received not only by the people of the British Empire but by the Government is proof of the important institution journalism has become. Henry de Blowitz, the late Paris correspondent of the "Times," in defining the difference between an ambassador and foreign correspondent, said: "Ambassadors know what happens and are compelled to keep silence; journalists don't generally know what happens and are obliged to speak." But reference has been made to the fact that the journalist is often better informed than the officials; he is not restricted by official etiquette from seeking his information in various quarters, nor is he tied down to official circles and grades of officialdom for news. Some years ago the Peking correspondent of the "Times" published facts of the greatest importance several days before the Foreign Office was placed in possession of the intelligence by its representative. A question on the point was asked in the House of Commons, and, in reply, the Under-Secretary for Foreign Affairs stated: "This question should rather be addressed to the editor of the 'Times' than to me; at the same time I think the explanation asked for is not far to seek. It is the business of Her Majesty's representative abroad to report to us facts of which they have official cognizance, and to obtain confirmation of them before they telegraph. I hesitate to say what the functions of the modern journalist are; but I imagine they do not exclude the intelligent anticipation of facts even before they occur, and in that somewhat unequal competition I think the House will see that the journalist, whose main duty is speed, is likely sometimes to get the advantage over the diplomatist, whose main duty is accuracy."

Importance of  
war corre-  
spondents.

The importance of the war correspondent is second only to that of the foreign correspondent. Great responsibility is placed upon his shoulders; this has grown with the power of the Press. The late Anglo-Boer War revealed the war correspondent as an officially recognized appendage to the army. It is only fair to state here that whilst his power was such as could either make or break a career, no advantage was ever



taken to praise unduly a friend or to censure many of those officers whose dislike for war correspondents often led them to place obstacles in their way. To illustrate how important it is that only gentlemen of the highest integrity should be employed in the responsible position of war correspondent it is necessary to state that some of the colonial papers employed in this capacity men holding commissions in some of the irregular corps; the result was that friends and relatives were "written up" and were brought prominently before the public, the services of others often being attributed to them, with the result that as official dispatches were sometimes influenced by Press reports as containing "more detail," fictitious services were often recognized at the expense of men who were never heard of.

The early colonial Press was fully impregnated with English traditions, the "Times" being the model on which many of the better-known colonial papers were conducted; but during the last thirty years the colonial Press has developed along its own lines, and reflects more or less a growing national character. The Canadian Press, however much it may be controlled by commercial influences, at any rate reflects ideas and interests which are Canadian rather than external. If its literary and technical style is American rather than British, it is not the less loyal to the Empire on that account. Prominent Canadian papers, such as the "Montreal Witness" and the "Toronto Globe," have of late years criticized public affairs from a national standpoint. In spite of this fact, and that the colonial Press has grown in size and importance, the power of the British papers in the Empire is not one whit less to-day than it has ever been. The opinion of the leading English dailies on all questions of foreign, imperial or purely colonial import is reproduced and seriously commented upon by the colonial Press the day following. It is doubtful whether the British Press fully realizes that its power in the colonies has not been superseded by the indigenous papers. It is the continuous high standard of the British Press which retains for it its influence with the colonial Press, and through it with the colonial public. This depends more largely than is sometimes realized on the regular industry and ability of the trained journalist whose

Colonial  
Press.

Influence of  
the British  
Press in the  
colonies.

business it is to discuss the latest developments in the affairs of the civilized world. This his skill enables him to do in a manner which gives reasonable men something fresh to think about. A leading article in the "Times," "Standard," "Daily Telegraph," "Morning Post," "Daily Mail," "Pall Mall," "Evening Standard and St. James's Gazette," "Westminster," "Spectator," or the "Economist," has even greater weight in the colonies to-day than twenty years ago, for to-day there are able colonial journalists who reproduce portions or the whole of the articles and then ably criticize them in leading articles of their own papers. The style of the colonial journalist has never been very far below that of his English colleague, as is commonly believed to be the case. In the earlier days of the colonization of Canada the colonial life attracted several English and French writers of repute, who set a standard which has ever since been aimed at. In the case of Australia and New Zealand, the early colonists included among them gentlemen with considerable literary ability and journalistic training; these attainments were used in the interests of the colonies and of the Empire. South Africa, too, was fortunate through its salubrious climate in attracting many journalistic geniuses to her shores in the earlier stages. As the colonies developed and the Press grew in importance it was able to compete with the London journals in the open market for the services of skilled journalists, many of whom served an apprenticeship with English papers.

The journals  
as empire-  
builders.

"Times."

It is not generally known that many of the British papers have contributed in more ways than one in empire building. The part which the "Pall Mall Gazette" played in securing the control of the Suez Canal has already been referred to. In 1876, the year following the Suez transaction, the "Times" warned the Beaconsfield Cabinet that their Egyptian policy must inevitably lead the nation into more active intervention in that country and it is undoubtedly due to the influence of the London Press that Great Britain owes her Egyptian position to-day. Then again the "Times" was responsible for strengthening Mr. Gladstone's policy in Ireland, and it was this paper's dignified denunciation of the leaders of the Home Rule movement which resulted in the defeat of that measure. It was when Mr. Gladstone became

converted to Home Rule that the "Times" formed the Liberal-Unionist party. The pacification of the Soudan is mainly due to the influence of the British Press led by the "Times". The urgent necessity for determined action in South Africa was strongly advocated by this same journal and when the Anglo-Boer war broke out the reputable Press of the British Empire was mainly responsible for it being brought to an honourable and successful issue. In the hour of temporary defeat an irresponsible or excitable Press could with ease have so used its influence with the public as to have, through our democratic institutions, brought disaster upon the whole Empire. The Press, however, steadied the nation and made it determined to succeed at any cost. Nor must we forget that the Press of Great Britain is mainly responsible for our naval strength, it keeps a far more jealous eye upon the naval advancement of our possible foes than it is possible for the Government to do, and whilst it backs up any efficient naval programme of the Government it educates the people to the absolute necessity for the financial sacrifices if security is to be obtained. The efficiency of the British Navy has ever been the peculiar care of the "Times".

Had it not been for the able and strenuous efforts of the leading British daily and weekly papers, the insidious and dangerous growth of Socialism would have made greater headway in the Empire than it has already done.

A London daily carrying weight in the colonies is the "Standard." "Standard". This paper, founded in the Tory interests in 1827, has done much for the Empire, and it promises to do still more through the columns of the "Standard-of-Empire," a paper which inspired the object and title of this work.

The educative work of the "Standard-of-Empire" is "Standard-of-  
already bearing good fruit in the colonies; through its Empire." columns the component parts of the Empire are being brought in closer touch with each other; this paper is undoubtedly doing yeoman service in the march towards imperial federation. The colonists have perhaps realized this good work before it has yet dawned upon the inhabitants of Great Britain. Another of the London dailies having a large circulation among colonials is the "Daily Telegraph". This "Daily Tele-  
paper, founded in 1855, has done much practical work in graph."

building up our empire. It was this paper that co-operated with the "New York Herald" in sending the explorer Henry Stanley on his second expedition to Africa, resulting in the survey of Lakes Victoria and Tanganyika. The "Daily Telegraph" was also responsible for the exploration of Kilimanjaro (1884-5) by Sir Harry Johnston.

"Daily Mail." The London "Daily Mail" is yet another paper which does not confine itself to criticism. In 1908 this paper commenced a successful experiment in placing townspeople on the land; this policy, started by a newspaper, may yet have a far-reaching effect upon the whole Empire, for it may give us back some of that self-reliance with which our rural ancestors won the Empire. The encouragement this newspaper is giving to aeronautics is resulting in added interest in a branch of science, the perfecting of which will have an important bearing upon the Empire.

Imperial  
Press Con-  
ference.

Last year (1909) there was held in London the most important conference yet held in that capital; this was the Imperial Press Conference, a conference which marks a distinct epoch in the history of the Empire. Here there were gathered together the men who permanently reflect and influence the opinion of its varied parts. There have been held in London conferences of colonial Prime Ministers, imperial defence conferences and conferences of commercial representatives; and whilst each of these meetings of delegates has been a step in the direction of imperial federation, the Press Conference has been a very long stride in that direction. The result of this conference will not be found in the records of the sessions it held, but must be looked for in the writings of the delegates in the pages of their newspapers; therein will be found a unanimity of imperial policy, which was impossible before this conference was held. To-day many of the Australian journalists know the ideas prompting the writings of their Canadian colleagues, having received the reasons first hand, and the same applies to the newspaper staffs of other parts of the Empire. The Press Conference enabled the Press of the Empire to become personally acquainted. The delegates returned to their several parts of Empire, unanimously favouring a common policy in its defence as a whole, and agreeing upon the need for retaining at any price our



present position in naval construction. It is now possible for the imperial Press to support unanimously an efficient scheme of imperial federation, and the imperial Press is but waiting for a federation policy to be propounded by one of the recognized leading papers, not as a party cry, but as an imperial ideal possible of successful and early achievement; the grand work of the Press Conference of 1909 will then be seen in an almost unanimous support of the federal policy.

## CHAPTER XVI.

### THE CALL FOR IMPERIAL FEDERATION.

Colonials are usually more Imperialist than the inhabitants of the United Kingdom.

THE call for a closer tie between the units of the Empire has been heard for a far longer period in the colonies than in the parent country, and in many of the colonies the call has become more insistent as time has passed. That it should be so is partly explained by the fact that the colonial is a product of Imperialism, he feels himself inherently to be a citizen of Empire, and he knows that the rights and privileges of this greater citizenship, under existing conditions, are purely nominal. This is a grievance shared by all colonials and the longer it is allowed to stand the more difficult and complex will become the means of its removal. The responsibilities of the separate parts daily increase, a national as apart from an imperial sentiment is fostered; local idiosyncrasies grow into provincial characteristics, and these eventually develop into national independence; in turn this may culminate in a desire for secession, hastened by the unsympathetic attitude of the mother country.

The secession movement on the part of one or more of the members of the imperial family may be precipitated by the continued refusal of the mother country to distribute equally the responsibility of government; it was taxation without representation that brought about the severance of the American colonies from the Crown of Great Britain, and non-responsibility in imperial affairs may bring about further secession from the Empire.

Heterogeneity of the Empire.

It will have been seen in the preceding chapters that the possessions now calling for a closer tie between each other and the mother country are so scattered, the people so widely different in race, temperament, degree of civilization and religion, and that there are, in fact, so many factors to be considered,

that success can alone be achieved by a radical departure from all preceding constitutions.

Of the 670 members of the House of Commons, a very small number realize to what extent the Empire has grown within the last century; they are apt to think of the colonies as these were in their beginning, as plantations or convict settlements. The average British politician fails to understand why the colonial is not more than satisfied with the local autonomy given him, and whilst this is the attitude of the majority, and a large majority of the members of the "mother of parliaments," it is likewise the feeling of a far larger majority of the 7½ million of electors of the United Kingdom. Although the responsibilities of the Empire have yearly increased, the responsibilities of the British nation, as apart from the imperial people, have grown, though at a decreasing ratio; and this in a measure accounts for an apparent indifference on the part of the inhabitants of the mother country to the growing voice in the colonies in favour of a closer tie between the units. It must also be admitted that the population of Great Britain, with the increase of local legislation attendant upon it, has long since outgrown its legislative machinery. The law-makers of the United Kingdom are also called upon to legislate on imperial questions, and it often happens that some question of the greatest concern to several millions of colonials or a greater number of subjects beyond the seas is but perfunctorily considered by a thin House of members knowing nothing of the conditions existing in the possessions concerned; a few hours later a full House will heatedly debate a licensing Bill for England. A truly imperial question has never been responsible for the dissolution of the Imperial Parliament, and as far as can be ascertained, from the meagre reports obtainable an imperial platform has never been adopted by a candidate for the British Parliament. What does this portend? An absolute indifference on the part of the 45 millions of inhabitants of the United Kingdom to the welfare of the remaining 347 millions of people of the Empire. Of the 392 millions of people owing with just pride allegiance to the British Crown, and governed in the complex manner described in a previous chapter, some 12 millions are British colonists or colonials of European descent enjoying the full privilege

The British Parliament is at once local and imperial.

The peoples of the Dominions have no imperial responsibility.

of responsible government; but this responsibility does not extend beyond their own colonies, whereas the responsibility of the inhabitants of the United Kingdom extends throughout the Empire.

To illustrate this: the British Government may bring about a war involving the whole Empire, resulting perhaps in the loss of one or more of the colonies, or at least serious damage and financial loss to them, yet these outlying parts of the Empire have had no voice in the negotiations ending in such a war. It will therefore be seen that the colonial call for imperial federation is no unreasonable one, and that the governance of Empire must mean the adjustment of responsibility by representation in such a manner as to create interdependence between the parts.

At the conference of colonial Prime Ministers held in London in 1897 nothing towards a more tangible tightening of the bonds of Empire was effected, for even at that late date many of the units were still setting their own houses in order; every unit was in fact busily engaged in making more efficient its own governmental machinery.

A resolution was adopted at this conference by a majority of the delegates, "that the present political relations between the United Kingdom and the self-governing colonies are generally satisfactory under the existing condition of things". But "the existing condition of things" did not last for long. The Anglo-Boer War discovered to the Empire that Great Britain was respected by the continental powers only so long as her metal at sea was heavier than a combination of theirs. The open rejoicings on the continent at British reverses in South Africa brought home to the colonials, if not to pre-occupied Englishmen, that Great Britain was regarded outside of the Empire with a jealous hatred which only awaited a favourable opportunity to burst forth in a determined effort to annex many of her possessions. This attitude, then, of potential enemies showed the urgent need for consolidation among the imperial family. That the defensive—and offensive, if necessary—resources of the oversea possessions were considerably greater than had been anticipated, was proved by the colonial contingents sent to a war of little importance outside of South Africa. Prior to this war imperial

Attitude of  
colonials  
during the  
Boer War.



federation had never taken any definite shape in men's minds, the few colonial statesmen and publicists who had spoken or written in its favour referred to it as something highly desirable but belonging to the dim future. The Anglo-Boer War showed, however, that the inhabitants of the British Empire already belonged to one nation. It was never quite known how the test of war would act upon the Empire, and it must be confessed that even ardent Imperialists were in some doubt as to what the attitude of certain portions of the Empire would be in a war that only directly affected other parts. The spontaneous acceptance of imperial war responsibilities by even the most insignificant possession justified Mr. Chamberlain in sending a telegram to the colonial Prime Ministers, dated 23 January, 1902, intimating the desire of the Imperial Government to take advantage of the gathering at the coronation to discuss the political and commercial relations of the Empire and its naval and military defence. The Governments of the self-governing colonies were invited to suggest further subjects of discussion, and to furnish the text of any resolutions which they might desire to submit to the conference. Disappointment has been expressed in some quarters at the barren result of this conference, and the two federations of Canada and Australia have been blamed for not having accepted the British Government's invitation, and submitted resolutions of a more or less definite nature favouring the closer union of the component parts of Empire. The representatives of Canada and Australia were men experienced in federal negotiations and fully realized that these, to be successful, and the result to be lasting, call for the most delicate of handling, and, further, the attitude of Great Britain had not reassured them.

Was she prepared to give them a voice in her councils, or did imperial federation mean nothing more than an unlimited call upon colonial resources?

The Colonial Secretary (Mr. Chamberlain) was chairman of this conference, and he opened the proceedings with a speech in which he welcomed the Colonial Premiers as "representatives of the great nations across the seas". In the course of his speech he said: "I say the paramount object is

Mr. Chamberlain on imperial federation.

to strengthen the bonds which unite us, and there are only three principal avenues by which we can approach this object. They are, through our political relations in the first place; secondly, by some kind of commercial union; in the third place, by considering the questions which arise out of imperial defence. These three great questions were considered at the last conference, and I think it is clear that they must form the principal subject of our deliberations on this occasion, and, indeed, of those of any future conference which may afterwards be held."

The late war had "brought home to all of us the essential unity of sentiment which unites us". At the same time, he felt that "it would be a fatal mistake to transform the spontaneous enthusiasm which has been so readily shown throughout the Empire into anything in the nature of an obligation which might be at this time unwillingly assumed or only formally accepted". Accordingly the demand for closer union must come from the colonials, and he stated that "if it comes it will be enthusiastically received in this country".

Sir W.  
Laurier on  
Imperialism.

Two years before this conference was held a debate took place in the Canadian House of Commons (13 March, 1900) in which Mr. Bourassa criticized the Government for its action in sending contingents to the South African war. Sir Wilfrid Laurier, in defending his Government's action, said: "But I have no hesitation in saying to my honourable friend that if, as a consequence of our action to-day, the doctrine were to be admitted that Canada should take part in all the wars of Great Britain, and contribute to the military expenditure of the Empire, I agree with him that we should revise the conditions of things existing between us and Great Britain. . . . Under that condition of things, which does not exist, we should have the right to say to Great Britain: 'If you want us to help you, call us to your councils; if you want us to take part in wars, let us share not only the burdens but the responsibilities and duties as well'." <sup>1</sup>

At the conference of 1902 Mr. Chamberlain, in his speech, replied to the above quoted words of Sir Wilfrid Laurier:—

"Gentlemen, we do want your aid. We do want your assistance in the administration of the vast empire, which is

<sup>1</sup> Speech in the Dominion House of Commons, 13 March, 1900.

yours as well as ours. The weary Titan staggers under the too vast orb of his fate, we have borne the burden for many years. We think it time that our children should assist us to support it, and whenever you make the request to us, be very sure that we shall hasten gladly to call you to our councils. If you are prepared at any time to take any share, any proportionate share in the burdens of the Empire, we are prepared to meet you with any proposal for giving to you a corresponding voice in the policy of the Empire."

This conference was responsible for clearing the ground for future negotiations and for obtaining an expression of opinion on the question from a responsible Minister of the British Ministry, for before the conference terminated Mr. Chamberlain suggested (not a formal resolution) that there should be established "a real Council of the Empire, to which all questions of imperial interest might be referred," and this Minister went on to say that although such a body might in the first instance be merely an advisory council, yet "the object would not be completely secured until there had been conferred upon such a council executive functions, and perhaps also legislative powers".

The one practical result of this conference was the decision arrived at, that conferences should be periodical, and it was thereupon agreed that the next conference should be held in 1906. Owing, however, to the general election being held in the United Kingdom at this time the conference was not held until 1907, and at the suggestion of Canada it was termed the Imperial Conference, and for the first time included a representative from India. Unfortunately, for the Empire beyond the seas and the colonial anticipations of closer union, a Liberal Ministry was now in power in Great Britain, and Lord Elgin, who had succeeded Mr. Lyttelton as Secretary of State for the Colonies did not hold himself bound by the views of his predecessor; he assumed the attitude of having an open mind on all questions excepting domestic policy. This conference was barren of result and the colonial delegates realized that the Liberal Government was out of sympathy with the oversea possessions. The Liberal Ministers had unfortunately misunderstood the outburst of loyalty on the part of the colonies during the South African war as loyalty

A Council of  
the Empire.

Colonials and  
the British  
Liberal party.

to the Conservatives and not to the Empire, and therefore resented colonial suggestions as undue interference. It would be idle to speculate on the results of this conference had Mr. Chamberlain or Mr. Lyttelton presided over its deliberations, but it is safe to assume that a step in advance of that taken in 1902 would have been made, for during the interregnum of five years the Colonial Office would have had time to realize that Mr. Chamberlain in his speech to the delegates at the 1902 conference was wrong in saying that the request to take part in the councils of the Empire (his words, already quoted, were—"we are prepared to meet you with any proposal for giving to you a corresponding voice in the policy of the Empire") should come from the colonies themselves.

Proposal for  
closer union  
should  
emanate from  
Great Britain.

It is just here that a set back to the federal movement has occurred, for the colonies quite rightly consider that overtures concerning a constitutional innovation of such vital importance to the Empire should come from the parent country; furthermore, these colonies realize that there are other important possessions and people to be affected by closer union, that the self-governing colonies and their peoples are not the most important part of the Empire, and finally that any scheme for imperial federation must embrace the least as well as the most important unit. It would be just as competent for India or St. Helena to take up Mr. Chamberlain's challenge as for Canada or for Australia to do so; and had Mr. Chamberlain remained at the Colonial Office a short time longer, he would have seen that any scheme to be successful and to be adopted enthusiastically by the Empire for the closer union of the British possessions must emanate from the parent country.

Colonial Con-  
ferences.

The Colonial Conferences of 1897 and 1902, and the Imperial Conference of 1907, apart from the few substantial results accruing, have been responsible for arousing interest in the question of imperial federation; and these conferences have gone a long way in educating public opinion to the untold advantages to be obtained and the increased security to be derived from closer unity. Yet these conferences were not imperial in the true sense of the word; only a very small proportion of the imperial population was represented, for it cannot be said that the Secretary of State for India was the



proper personage to represent some 294 millions of people at a conference the other delegates at which were directly representing the people of countries they were personally acquainted with by long residence. Apart from the Secretary of State for India (who only attended at the conference of 1902, India not being represented at the previous conferences), the delegates represented but 17 millions of people beyond the seas, and although strengthening the bonds of sentiment and preparing, in a measure, the way for the future governance of Empire, these academic conferences have failed in concrete results. Why is this so? At the first and second conferences the Secretary of State for the Colonies, presumably speaking for his colleagues in the Ministry and for the British people, earnestly proclaimed for closer union, and he went so far as to recommend an imperial *Zollverein*, which "would change the various parts of the Empire from a series of commercial units, to an organic whole," and "would lead inevitably to the closer political union which is so generally desired".<sup>1</sup> These expressions, strong expressions in favour of imperial federation, were echoed by the colonial delegates, each of whom was a responsible Minister in his own colony. Then the Press, not alone the responsible Press of Great Britain, but all the leading journals of the colonies, re-echoed the desire for closer union; nor can there be discovered any divergence of opinion as to how this was to be brought about. The fundamental principles as outlined by Mr. Chamberlain in 1902 were never disputed either in Great Britain or in the colonies; but the delay of eight years has had this disturbing effect; the doctrine of nationalism assiduously preached by the Socialists in Australia and Canada is at last bearing fruit which the colonists themselves will, when too late, recognize as of the Dead Sea species. The independent-navy policy of these two large colonies signals their entrance into the embryo-nation stage. Procrastination on the part of Imperialists enabled the Socialistic doctrine to gain ground. The Socialist leaders in these colonies have long advocated nationalism as against Imperialism, and no doubt the doctrine, for a young and growing country full of youthful ambition, is an alluring one, and one difficult to combat where the alternative policy of Imperialism

Mr. Chamberlain's policy.

<sup>1</sup> Blue Book : Colonial Conference, 1897.

is not offered in any concrete or definite form. Unfortunately for the colonies adopting the independent-navy policy, the growing Socialist party may, at no far distant date, assume power, and the interesting anomaly will be witnessed of a set of men, whose principal teaching is the denial of discipline and rank, being in supreme control of a service whose efficiency and use is dependent upon the most rigid discipline and the recognition of graduated superiority among the personnel. Undoubtedly, Mr. Chamberlain's declaration in favour of an imperial *Zollverein* at the 1897 conference was made for the purpose of familiarizing men's minds with an important addition to the British Constitution, and his reiteration again in 1902 of the urgent need for some definite form of closer union foreshadowed the presentation, by the Imperial Government to the conference of 1907, of a definite scheme for imperial federation. This object was defeated by the overthrow of the Conservative party in 1906. Therefore, the question cannot be considered with any hopes of success until the next Imperial Conference of 1910 or 1911. But the agenda for that conference should include the discussion of closer union and the subject should be given the principal place on the agenda paper. Apart from the ground already cleared in this direction by the three previous conferences, the negotiations leading up to the federal unions of the Canadian, Australian, and South African colonies should be of the greatest value, and much of the procedure followed by these states might, with profit and success, be adopted in the case of the greater and culminating federal union.

Results of the  
Unionist defeat  
in 1906.

Next Imperial  
Conference.

Steps that  
should be  
taken.

It is not to be expected, however, that the next Imperial Conference can decide upon even the direction imperial federation shall take; a set of resolutions should, however, be submitted by the British representative and they might take the following form:—

(a) That in the opinion of this conference the best interests and the permanent security and prosperity of the British Empire will be achieved by a closer political, commercial and defensive union of the United Kingdom and the British possessions beyond the seas.

(b) That the members of this conference agree to submit the foregoing resolution to their respective Governments and

to recommend that such steps be taken as may lead to the appointment of delegates to a British Imperial Convention whose object shall be to consider and report on the most desirable form of closer union of the units of the British Empire and to prepare a draft constitution.

(c) The convention shall consist of not more than the following numbers of delegates from each part of the Empire :—

The United Kingdom	-	-	-	-	-	15 delegates.
British India	-	-	-	-	-	10 „
Each Dominion, Commonwealth or Union	-	-	-	-	-	5 „
Each self-governing colony	-	-	-	-	-	2 „
Each possession containing not less than 100,000 of population	-	-	-	-	-	1 „
All possessions containing a population of less than 100,000 to be grouped for purposes of representation, and to such for every 100,000 of population	-	-	-	-	-	1 „

(d) The convention shall publish the draft constitution as soon as possible and shall in consultation with the Governments and Administrations of the Empire determine the further steps to be taken thereto.

(e) In the convention, the voting shall be by states and not be *per capita*. A chairman shall be elected from the members, who shall have the right of speaking and voting, and, in the event of an equality of votes, shall have a casting vote.

For practical purposes an imperial convention must be restricted in numbers, therefore, to keep the convention within a workable limit the representation of certain portions of Empire must be disproportionate to population and importance and cannot be fixed upon any arbitrary basis. An imperial convention.

It is suggested that the voting in such a convention should be by states and not by heads, for the reason that a little state has its all at stake just as much as a large state, and it was thus that the voting took place on the national convention responsible for the founding of the United States of America.

The representation suggested in the third resolution will constitute a convention of eighty delegates; two of these will represent grouped possessions. This grouping of the smaller possessions need present little difficulty, for it will be seen by a glance at the map of the Empire that these fall together geographically; for instance, the tiny but strategically im-

portant islands of St. Helena and Ascension would share a representative with their opposite neighbour British Gambia.

We have here then a scheme for bringing together in the imperial metropolis, under the ægis of His Britannic Majesty, representatives from every corner of the Empire, from the largest possession to the smallest. The oldest colony and the youngest protectorate will sit in solemn conclave to forge an instrument for the more uniform and efficient government of the Empire as an organic whole.

The proceedings of an imperial convention will of necessity be of a more harmonious nature than the proceedings of those colonial conventions responsible for the drafting of the federal and union constitutions of Canada, Australia, and South Africa, for in the case of the imperial convention no sacrifices will be demanded, no self-denial is called for, vested interests need in no way be interfered with, existing constitutions, rights and privileges will not be encroached upon. All the delegates will be called upon to consider what is the best, the most efficient, means of harmonizing the existing constitutions and sub-constitutions now governing the Empire, or in other words, to weave into a cable the numerous strands presented to them, the tensile strength of which, from the material they will have available, promises to be greater than any cable of a like nature ever woven before.

The United  
Kingdom and  
imperial  
federation.

In what quarter of the Empire is there likely to arise an objection to the calling together of an imperial convention for the express purpose of considering as to whether or not imperial federation is desirable, and if it is found to be desirable to formulate some scheme for bringing it about? The two principal political parties of the United Kingdom should welcome such a court of inquiry, but of course for opposite reasons—the Conservatives because the Empire is their peculiar care, the Liberals because the United Kingdom is their particular care. As the Empire has grown in area, strength, and self-reliance under successive Conservative Governments, so it has remained dormant or languished under Liberal Administrations. The Liberal party is essentially a domestic one—it supplies Ministers infinitely superior in detail and routine to anything the Conservatives can give. A Liberal Government legislates for England and legislates well. The



Empire it knows nothing of, nor does it care to know anything of it. Its leaders openly admit that territory outside of the United Kingdom is an unnecessary luxury. Therefore, a convention such as that suggested may propound a scheme which will relieve the Government of the United Kingdom of vexatious imperial legislation, and would allow a Liberal Government to legislate for the United Kingdom upon those advanced Socialistic lines for which it is now showing a predilection. In relegating purely imperial legislation to an imperial legislature, the mother country must in any case be the gainer, for her legislators will be solely occupied upon her domestic legislation, and whilst the Liberals, who have displayed peculiar aptitude in this form of legislation, will probably be retained for this work, the Conservatives, whose political talents are more pronounced as imperial statesmen and in foreign diplomacy, would be available to serve the Empire in that capacity for which they are most fitted. In a consolidated Empire, both parties will have that power they are peculiarly fitted for. Under the present political party system in Great Britain, whichever party is called to power, some portion of the Empire must suffer. When the Conservatives are called to office matters of official detail and office routine are left to the permanent officials, and Ministers concern themselves with questions of State. With a change of Ministry, and the Liberals taking office, there is naturally a change of policy. Imperial questions are handed over to the permanent heads of departments, and Ministers take into their own care questions of detail and of office routine.

Liberals are national, Conservatives imperial in their views.

If the immediate comfort of the inhabitants of Great Britain is to be considered as paramount to all other considerations, then there is no need either for an imperial conference or a Conservative party. A Liberal Government, for the immediate wants of a nation, is all that can be desired; but it must be borne in mind that as a nation Great Britain is rapidly giving way to other nations and falling into the rank of second-class powers. It is as an Empire that Great Britain and her dependencies are at the top of first-class powers. Fifty years ago the United Kingdom rightly considered herself superior to all other European powers, and never seriously considered Germany as a rival. To-day the

Growth of the rivals of Britain.

forty millions of people resident in Great Britain are threatened by the German Empire with a population approaching seventy millions, augmented possibly in the near future by some twenty-five millions of Austrians. The United States, with an enterprising people sprung from our stock, has to-day a population of twice that of Great Britain. Japan, undreamt of as a power fifty years ago, has a larger population than our own, and has taken her place among first-class powers. The question has, therefore, to be faced as to whether Great Britain intends to fall as a nation into the rank of second-class powers or to retain and consolidate her position as the leading first-class power,—as the British Empire. If her people prefer nationalism to imperialism and are prepared to follow the example set by Holland two centuries ago, and forfeit the greatest future a people were ever promised, then let them follow the Socialistic doctrines of false prophets and ignore the call of their dependencies and refuse consolidation.

Home Rule for Ireland is not inconsistent with imperial federation.

Devolution in the British Isles.

Socialist opposition to Imperialism.

It is not expected that the Irish party would oppose an imperial convention, as imperial federation must lead to Home Rule, for to centralize satisfactorily and efficiently imperial questions there must be a corresponding decentralization of local questions, and one can see an imperial constitution which covers state legislation for Scotland, Ireland, and Wales, as well as for Ontario, Quebec, New South Wales, and Victoria. The Socialist parties throughout the Empire will oppose any movement which will lead to a consolidation of the Empire. Imperial federation, if it does not effectually check the lawless doctrines of Socialism, will at least modify the policy of that party. Socialism can only thrive in narrow confines; it is killed by area, prosperity, or rank. The last is the most economical way of turning a dangerous enemy into a valuable ally. No one ever found a Socialist in the Sahara, the Karoo, or on the Pampas, or in his own counting house or with a few letters, costing nothing to the State, behind his name. And one never will unearth him far from sordid surroundings or beyond the hearing of an ignorant and easily beguiled audience. Under existing legislative conditions Socialism is on the increase throughout the British Empire, more slowly perhaps in Canada where work is plentiful though hard. Compulsory and free educa-

tion having educated the children of the working and labour-  
 ing classes above their station, has created a pariah class for  
 which there is little or no employment. This class is unfor-  
 tunately growing, and as unemployment breeds discontent, so  
 then does the doctrine of Socialism appeal to a people unfitted  
 by faulty legislation for the work of their fathers—a class of  
 work always available. Imperial legislation, whilst dealing  
 with the waste lands of the Empire and the placing of settlers  
 upon these from among the surplus population of the more  
 crowded parts, would indirectly be legislating against the  
 more pernicious doctrines of Socialism, and would be depriv-  
 ing the Socialist leaders of their most effective weapon.

Imperial  
 federation  
 would in-  
 directly check  
 Socialism.

Assuming, however, that the suggested federal conven-  
 tion failed to satisfy all parts of the Empire and was unsuc-  
 cessful in drafting an imperial constitution, it is not to be  
 supposed for one moment that the sessions of such an im-  
 perial parliament would be barren of result. Eighty imperial  
 statesmen called together from all quarters of the world,  
 representing every clime, every race, every language, every  
 religion, every degree of civilization under the sun, can-  
 not fail to do good. And if it, for some unforeseen reason,  
 failed to consolidate the Empire by drafting a short constitu-  
 tional Bill acceptable to all, great benefits would be certain to  
 accrue from their deliberations alone.

Convention,  
 whether suc-  
 cessful or not,  
 must be  
 beneficial.

In imperial questions there is no room for party differences,  
 and in their consideration Liberal and Conservative can with  
 honour to themselves, profit to the Empire, and confusion to  
 the nation's enemies, unite on the common platform of Empire.

Imperialism  
 should not be  
 a party ques-  
 tion.

An imperial convention is pregnant with possibilities—pos-  
 sibilities beyond the anticipations of even the most enthusiastic  
 Imperialist, but the longer the convening of such a convention  
 is delayed, the more difficult must become its labours.

The question of the convening of an imperial convention  
 in London at an early date is one which the Press of the Em-  
 pire, representing every shade of political opinion, should stren-  
 uously support. If the Conservative and the Liberal Press of  
 Great Britain will but unite on this question the result will  
 be an ample reward for the temporary submersion of their  
 party differences, and the greater portion of the Empire's  
 gratitude will belong to the Press upon imperial federation  
 passing from the realm of vision into the kingdom of actuality.

British Press  
 would assist  
 the material-  
 ization of the  
 scheme.

## CHAPTER XVII.

### AN IMPERIAL CONSTITUTION.

British Constitution can remain intact.

AN imperial constitution is in itself one of the obstacles that has been in the way of imperial federation. The very suggestion of tampering with the time-honoured British Constitution is sufficient argument against the consolidation of the Empire, and the fear of such sacrilege has been mainly responsible for the strong opposition in Great Britain to any progressive change in the governance of the Empire. To the great majority of British electors the idea of an imperial federation implies either the subordination of the British Constitution to a new instrument or its radical alteration. Fortunately, however, for the prospects of the component parts there is not the slightest need to interfere with either it or any of its charters.

Burke on the British Constitution.

The Constitution of the United Kingdom by its very composition, made up as it is by royal charters, Acts of Parliament, parliamentary resolutions, speakers' rulings, legal findings and opinions and parliamentary customs, is still elastic enough to permit, without altering its shape or appearance, of yet another corner-stone being added. Edmund Burke wrote of the British Constitution:<sup>1</sup> "The whole scheme of our mixed constitution is to prevent any one of its principles from being carried as far as, taken by itself, and theoretically, it would go. Allow that to be the true policy of the British system, then most of the faults with which that system stands charged will appear to be, not imperfections into which it has inadvertently fallen, but excellencies which it has studiously sought. To avoid the perfections of extreme, all its several parts are so constituted as not alone to answer

<sup>1</sup> "Appeal from the New to the Old Whigs," Burke's Works, Vol. VI, p. 253.



their own several ends, but also each to limit and control the others ; insomuch that, take which of the principles you please, you will find its operation checked and stopped at a certain point. In the British Constitution there is a perpetual treaty and compromise going on, sometimes openly, sometimes with less observation." Burke, the greatest of champions of the British Constitution, here tells us that there "is a perpetual treaty and compromise going on". Or in other words, it is adapting itself to the work it has to do. There can be little doubt that had the Constitution been a hard-and-fast document such as that of France or of the United States, it could not have held the Empire together.

Now the great flaw in the British Constitution as an instrument for imperial governance, is that it differentiates between the electors of Great Britain and the British subjects beyond the seas. A farm labourer in Kent has a far greater say in the governance of Ceylon, than a planter in that island owning many thousands of acres and employing hundreds of employees. The Kentish labourer, if dissatisfied with the Government's policy in Ceylon, can cast his vote against the Secretary of State for the Colonies by voting against the Government of the day. Not so the Ceylon planter. Then again the London elector can cast his vote for or against a foreign policy which may vitally affect either Canada, Australia, or South Africa, but even the statesmen of those colonies, under the British Constitution, have no say in the matter. In a previous chapter it has been shown how Augustus bound his empire together by an imperial franchise and how great a value was placed upon the privilege.

Inequality of white men living within and without the United Kingdom.

The grievance of being disenfranchised upon leaving the British Isles was felt more acutely prior to the introduction of representative institutions into the colonies, and it was then that some of the colonies agitated for representation in the House of Commons. And at one time, early in the seventeenth century, the idea of giving representation to the American colonies and the West Indies was seriously contemplated. This form of consolidating the Empire still finds favour in certain quarters. Among the numerous suggestions that have been made from time to time for strengthening the ties of Empire

Colonials are disfranchised.

and giving a voice to all parts in the governance of the whole are:—

Suggested  
remedies for  
this.

1. Imperial federation under a Parliament of the Empire, having limited sovereign powers.
2. Representation of oversea states in the British Parliament.
3. An imperial customs union.
4. An imperial defence council.
5. Imperial alliance of mother country and oversea dominions as of independent states having recognized nationalism.
6. Mutual alliance and common citizenship.
7. Imperial council and commercial union based on preferential trade.
8. Confederation of states represented in an imperial council held together by the union of each under the same Crown.
9. Permanent alliance, equivalent to federation.
10. Co-operative Empire—collective imperialism.
11. Imperial council or continuous conference consisting of leading members of Imperial and oversea Governments in consultation, having a special secretariat attached to the Prime Minister's office.

Here we have eleven different opinions as to the best means of consolidating the Empire. These have been advanced from time to time by such statesmen or publicists as Mr. Chamberlain, Sir F. Pollock, Messrs. Deaken, B. Holland, Jehu Matthew, and R. Jebb. So far none of these suggested schemes have been seriously advocated, nor have they been adopted by any thorough-going organization with the object of bringing the question within the scope of practical politics. If one examines these suggested schemes some of them will be found disappointing as indicating that their proposers have little faith in obtaining a workable union. The proposal, for instance, of "an imperial alliance of the mother country and oversea dominions as of independent states having recognized nationalism," presupposes a greater independence of the mother country and means little more than the alliance now existing between Great Britain and Japan.

An Imperial  
Senate.

The proposals for an imperial customs union and an imperial defence council indicate that in some quarters it is

still considered necessary to obtain closer union by successive stages, and this process may yet be found the sound one to adopt. The many points in its favour would be carefully weighed by a representative imperial conference. But the object of this work is to endeavour to demonstrate that if the desire for imperial federation is strong and sincere on the part of the many politically detached units, there is no insuperable barrier to achieving a more complete political system than is outlined in the suggestions quoted. It is submitted that the efficient and secure governance of the Empire is dependent upon an imperial parliament which shall be a single Chamber constituted of elected representatives of the Empire, and which, for the purpose of this chapter, will be termed the Imperial Senate.

The powers and functions of the Imperial Senate shall be to introduce by resolution or draft Bill, to deliberate upon or to recommend with reference to such matters as are considered of an imperial nature, or as may be submitted to it by royal message. Measures of an imperial nature may originate in the Imperial Senate, but shall not have the force of law unless and until the legislature or legislatures concerned has or have ratified and adopted the same.

There shall be an executive council termed the Imperial Council to advise His Majesty in the government of the Empire, and the members of the council shall be chosen and summoned by His Majesty and sworn as imperial councillors and shall hold office during his pleasure.

An Imperial Council.

His Majesty may appoint officers to administer such departments of State of the Empire as His Majesty in Imperial Council may establish; such officers shall hold office during the pleasure of His Majesty; they shall be members of the Imperial Council, and shall be the King's Ministers of State for the Empire.

After the first general election of members of the Imperial Senate as hereinafter suggested, no Minister shall hold office for a longer period than six months unless he is or becomes a member of the Imperial Senate.

The appointment and removal of all officers of the public service of the Empire shall be vested in His Majesty in Imperial Council, unless the appointment is delegated by His

Majesty in Imperial Council or by a law of the Imperial Senate to some other authority.

Constitution  
of the Im-  
perial Senate.

THE IMPERIAL SENATE.—In constituting the senate there arises the same difficulty as was found in the constitution of the imperial convention, viz. the representation of every portion of the Empire in a workable Chamber. Fortunately the solution of what at first sight appears a difficult problem lies before us in the existing constitutions of the possessions themselves. That is, each constitution, whether it be governance direct from the Crown or through the medium of responsible institutions, has been drafted to give the people that voice in their governance they are fitted by civilization and numbers to exercise.

Local conditions have necessitated a differentiation of representation in the various colonial legislatures. There are, of course, one or two glaring absurdities in some of the smaller popular Houses, but in the number and distribution of seats, in one case alone, that of New Zealand, does it affect the representation suggested for the Imperial Senate. It is then in the existing constitutions that we find the machinery for the election of representatives for the Imperial Senate. It is now suggested that the various legislatures of the Empire, excluding the House of Lords and the provincial and state legislatures of the oversea commonwealths, shall constitute the electoral bodies, much in the same way as the colonial parliaments of South Africa are the electoral bodies for the first South African Senate, and the provincial legislatures are to be the electoral bodies for future vacancies in that Chamber. And it is further suggested that the electoral quota shall be fixed upon the size of these legislative bodies and not upon the population. By fixing the electoral quota at ten on the basis of existing legislatures throughout the Empire, and adding sixteen *ex officio* members, the Imperial Senate will consist of 216 members, or a parliament less than one-third the size of the House of Commons, and yet each part of the Empire will be directly represented according to its civilization and importance.

Representa-  
tion of India.

India, owing to the disproportion of her electoral representatives and nominee institutions, compared with her population, is justly entitled to differential treatment.



India apart from the native states is divided into thirteen provincial governments and administrations, which with the addition of the members of the supreme Government in India number but 220 official and unofficial legislators. This under the suggested scheme of imperial election, entitles India to but 22 imperial senators. To give this portion of the Empire a voice in its governance commensurate with its importance, it is necessary to make that voice second only to that of the United Kingdom. If then the Secretary of State for India and the fourteen members of the Indian Council be representatives of India in the Imperial Senate, India's representation will be increased to 37 senators.

But there will still remain certain portions of the Empire without the means of direct election of representatives owing to the absence of any electoral body. Such portions are, of course, only the outposts of Empire; it is, therefore, recommended that the Government of Great Britain shall nominate not less than three and not more than five senators who shall be qualified by special knowledge of these parts of Empire to represent them until such time as electoral bodies are created.

The electoral quota of ten on the basis of existing legislatures together with certain ex-officio members will give the following representation in the Imperial Senate to the parts of Empire named.

REPRESENTATION IN THE IMPERIAL SENATE.								Composition of the Senate.
United Kingdom	-	-	-	-	-	-	67	
British India, 22)	-	-	-	-	-	-	37	
Indian Council, 15)								
Canada	-	-	-	-	-	-	30	
South Africa	-	-	-	-	-	-	16	
New Zealand	-	-	-	-	-	-	12	
Australia	-	-	-	-	-	-	11	
Newfoundland	-	-	-	-	-	-	4	
Jamaica	-	-	-	-	-	-	3	
Cyprus	-	-	-	-	-	-	3	
Mauritius and dependencies	-	-	-	-	-	-	3	
Ceylon	-	-	-	-	-	-	2	
Straits Settlements	-	-	-	-	-	-	2	
Rhodesia	-	-	-	-	-	-	2	
Nyasaland	-	-	-	-	-	-	2	
Malta	-	-	-	-	-	-	2	

Carry forward 196

	<i>Brought forward</i>							196
Leeward Islands	-	-	-	-	-	-	-	2
Trinidad	-	-	-	-	-	-	-	2
The Nigerias	-	-	-	-	-	-	-	1
Fiji	-	-	-	-	-	-	-	1
Borneo	-	-	-	-	-	-	-	1
Hong-Kong	-	-	-	-	-	-	-	1
British East Africa	-	-	-	-	-	-	-	1
British Guiana	-	-	-	-	-	-	-	1
British possessions not in above	-	-	-	-	-	-	-	5

*Members ex-Officio.*

Of the British Cabinet, the Prime Minister, the	
Secretary of State for the Colonies, the	
Secretary of State for War, Secretary of	
State for Foreign Affairs, and the First Lord	
of the Admiralty	- - - - -
	5

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 216

Should any exception be taken to the size of the senate, let it be borne in mind that the governance of Empire means the governance of 392 millions of people, occupying an area of  $11\frac{1}{2}$  million square miles of territory and possessing the tacitly acknowledged sovereignty of the seas. This senate has to take upon its shoulders a large portion of the responsibility now held by the 670 members of the House of Commons. It has also to voice by direct representation every corner of the Empire, and unless this is effectively done there can be no true governance of Empire, for the Empire and by the Empire.

The legislature quota does not work as between New Zealand and Australia, for we find that the former with a population of barely one million has one more representative than the important Commonwealth of Australia with a population of over four millions, but this is due to the over-representation in the political institutions of New Zealand, a grievance complained of by the colonials themselves, and one which may at an early date be rectified. The very large native population of South Africa should entitle her to the representation the quota gives. With the single exception quoted, and there the reason is obvious, the legislature quota works out as well as any other device yet advocated.

The manner of the election of senators and the powers and functions of the Imperial Senate will be more closely followed and more clearly understood if described in the form of clauses of a suggested draft Bill.

#### THE IMPERIAL SENATE.

1. Every legislature within the Empire, other than the House of Lords, state or provincial legislatures of dominions, unions, or commonwealths, shall upon a day appointed by His Majesty, proceed to ballot for representatives to the Imperial Senate.

2. Each such legislature shall elect that number of representatives as is allotted the territory within its jurisdiction. Such number is ascertained by dividing the total number of members of the legislature entitled to vote for members of the Imperial Senate by the number 10.

3. The Imperial Senate shall continue for six years from the first meeting thereof and no longer, but may be sooner dissolved by His Majesty.

4. The Imperial Senate shall hold a session in London once in every year.

5. The Imperial Senate shall elect its own president and may make standing rules and orders regulating its own proceedings.

#### *Powers and Functions of the Imperial Senate.*

6. Measures of an imperial nature may originate in the Imperial Senate; but such shall not have the force of law unless and until the legislature concerned has ratified and adopted the same. Functions of the new imperial legislature.

7. The powers and functions of the Imperial Senate shall be to introduce by resolution or draft Bill, to deliberate upon or to recommend with reference to such matters as are considered of an imperial nature, or as may be submitted to it by Royal Message and particularly with reference to:—

- (a) Imperial defence.
- (b) Preferential trade and commerce.
- (c) Administration of possessions.
- (d) Imperial judiciary.
- (e) Imperial civil service.

- (f) Shipping and navigation.
- (g) Migration within the Empire of coloured races.
- (h) Immigration into the Empire of coloured races, not subjects of the King.
- (i) Naturalization.
- (j) Imperial mail and ocean cable service.
- (k) Copyrights and patents.
- (l) Corporations.
- (m) Weights and measures.
- (n) Currency.

8. Upon a division on any questions raised, the voting in the Imperial Senate shall be *per capita* and the vote shall be determined by the majority.

9. The legislature of each represented country shall make provision for the costs and expenses of its representatives on the Imperial Senate.

10. The costs and expenses of the sittings of the Imperial Senate in the conduct of its business shall be chargeable to each represented country according to its representation.

11. Any Bill or resolution of an imperial nature (other than as between Great Britain and a foreign power) originating from any legislature within the Empire, shall not have the force of law unless and until it has been submitted to the Imperial Senate.

12. Nothing in the foregoing section shall be deemed to mean that any measure rejected by the Imperial Senate and again being passed by the legislature of origin shall fail to have the force of law.

Relations  
with the  
British  
Government.

Can it be said that there is, in the creation of an Imperial Senate vested with the limited powers and functions outlined, anything in conflict with the British Constitution or any of the charters known as the colonial constitutions granted under it; at the most an imperial Chamber relieves a body of men—the House of Commons—of certain duties they have little interest and less experience in. Nor can it be argued that any of the rights and privileges granted to the self-governing oversea states by their constitutions are in any shape or form infringed upon; but on the contrary they are additionally protected by their own representatives in an imperial parliament.



Exception may be taken to the suggestion of bringing into being an additional Government, and it may be contended that by reason of the nature of its imperial functions it may usurp powers relegated by the British Constitution to that body conventionally known as the British Cabinet; but as the Prime Minister of Great Britain and his principal lieutenants are members of the suggested Imperial Senate it is proposed that he and those chief officers should be *ipso facto* Prime Minister and Imperial Secretaries of State in the Imperial Government. The increased efficiency here will be in the separation of the Ministerial staffs, the staff of the Prime Minister of England will belong to the civil service of Great Britain, whilst the staff of the Imperial Prime Minister will be recruited from the imperial civil service. The life therefore of the Imperial Ministry will be that of the British Ministry; and as its function and those of the senate are more advisory than executive, there can be no serious objection to the life of the Imperial Government being dependent upon the will of the British Parliament; but on the contrary it is conceivable that the large majority of oversea representatives will have a beneficial influence upon the British Minister to whatever party he may belong.

The great English statesman, Charles James Fox, laid it down as a principle never to be departed from "that every part of the British dominions ought to possess a government, in the constitution of which monarchy, aristocracy, and democracy were mutually blended and united".<sup>1</sup> It is in recognition of this principle that the constitutions of the self-governing colonies provide for bi-cameral parliaments. The Upper Chamber or Legislative Council takes the place of the House of Lords and the popular Chamber or Legislative Assembly the place of the House of Commons. In the colonies, whilst the Upper House has not the right to originate a Money Bill or to alter one coming up from the Lower Chamber, it has the power, reflected from the House of Lords, to reject the Budget or any other Money Bill; this has often been done and in every case time has proved the action to have been the correct one. The colonial parliaments therefore each and severally consist of the King, the Lords and the

Powers of the  
several par-  
liaments.

<sup>1</sup> "Parliamentary History," vol. XXIX, p. 409.

Commons: the King being represented by the Governor the Lords by the Legislative Council, and the Commons by the Legislative Assembly or House of Representatives as the case may be. The addition of a superior Chamber to our complex political machinery will in no way trespass upon the principle of limited monarchy; it is not suggested that the Imperial Senate will over-ride the legislative Acts of any of the existing legislative bodies nor that power ever be given for it to do so.

Now whilst an Imperial Senate elected by legislatures which for that purpose become electoral colleges is by reason of the means of its creation essentially a democratic Chamber, the House of Lords and the oversea legislatures corresponding to that Upper Chamber would still have the power of veto in imperial legislation as in national, colonial, state, or provincial legislation.

Value of the nobility.

The eradication of the aristocratic element from the British Constitution, the elasticity of which allows for the suggested Imperial Senate, would herald the falling to pieces of the Empire.

"A body of nobility is more peculiarly necessary in our mixed and compounded constitution, in order to support the rights both of the Crown and the people by forming a barrier to withstand the encroachments of both. It is highly necessary that the body of nobles should have a distinct assembly, distinct deliberations, and distinct powers from the Commons."<sup>1</sup>

Need for a Second Chamber.

The value of a reflective Chamber as an effective check on the violent bursts of passion and sudden changes of purpose, which are the evils of pure democracy just as they are the evils of pure despotism, has been demonstrated time and again in the self-governing colonies where the "Lords" have continually been called upon to veto ill-considered, or ultra-Socialistic legislation.

The growing demand in the United Kingdom for the reform of the House of Lords is one which is well founded upon the altered conditions of the country. Nevertheless the hereditary Chamber must stand if the Empire is to stand. Let

<sup>1</sup> Blackstone's "Commentaries on the Laws of England," Vol. I, book 1, chap. 2, pp. 157-8 (ed. 1800).

it be remembered that it is to the British aristocracy that we owe our freedom.

The House of Lords represented a majority of the people of Great Britain when it refused to be a party to the judicial murder of King Charles I.

The same Chamber voiced the will of the majority of the people when it restored the son of King Charles I to the throne. The House of Lords opposed King James II's abuse of the royal prerogative, and brought about the Revolution of 1688, in the name of the majority of the nation. It fought the cause of the people and successfully combated the designs of the Pretender and secured the triumph of the House of Hanover.

"The nation supported it enthusiastically when it resisted the daring policy of Mr. Fox, who tried to place our Indian Empire and its vast resources under the heel of a Liberal oligarchy, with himself as supreme head."<sup>1</sup>

But apart from these and numerous other occasions upon which the House of Lords has saved the nation from either despotic or Socialistic legislation, this Chamber would have fully justified its existence by the heroic stand it made last year on behalf of the Empire against the wave of Socialism which threatened to sweep away the Constitution and overthrow the monarchy. By insisting upon referring the Budget of 1909-10 to the nation—a Budget containing subtly wrapt within its clauses all the evils of Socialism and few, if any, of its virtues—the Lords have brought down upon their heads the wrath of an excited people. The outburst of popular passion at the aristocratic element in the Constitution insisting that the democratic element should act up to the teachings of democracy and consult the people on a question of vital importance to the nation and the Empire is sufficient evidence that the Socialistic leaders of the United Kingdom are endeavouring to acquire despotic sway by influencing the passions of the people. There would have been no limit to the mischief that a demoralized collection of self-seeking and ambitious groups of politicians, working upon the passions of the people, would have done had the House of Lords failed in their duty to their King, the Empire and the British

Services of the House of Lords in checking the Socialistic policy of the Radical party.

<sup>1</sup> "The Crusade against the Constitution," Sir W. T. Charley, p. 408.

nation in claiming the right of protecting the people against their own unscrupulously worked-up tempers by giving them time for calm reflection.

Reform of  
the House  
of Lords.

That the House of Lords is in need of drastic reform is admitted by even its staunchest supporters. In this respect it is a noteworthy fact that the representative peers of Scotland and Ireland display among their small ranks more statesmanship and legislative talent than the rest of the hereditary peers combined, with the exception of course of those created within recent years in recognition of outstanding services to the Empire.

It would add considerably to the efficiency of the House of Lords as a legislative Chamber if its members were reduced to 200 members, 100 elected by the peers and 100 elected by the House of Commons by the voting system known as the single transferable vote; by this means there would be proportional representation in the Upper Chamber, and thus the interests of the minorities would at least be represented. The British Constitution has within it the means of effectively checking the evils of Socialism; the judicious use by the Government of the day of the power of raising to the aristocratic class will do far more good work in checking the spread of Socialism than all the anti-Socialistic associations in Christendom; this power has unfortunately in the past been sadly dissipated. The oversea possessions have drifted into democracy by the total absence of an aristocracy. However great the services of a colonial statesman or publicist may be, these men are never considered worthy of more than knighthood in the chief colonial order reserved for colonists. It is therefore inferred that aristocracy is a national and not an imperial asset. By extending aristocracy to the Empire the ranks of Socialism would be gradually but surely weakened and the bonds of Empire would be considerably strengthened. It must be admitted that the Prussians and the Austrians are a very practical people. The constitution of the former is dated 31 January, 1850, and that of the latter 21 December, 1867, and both provide for Upper Chambers combining the hereditary with a life element; and the system, founded upon the system of other nations, has worked well in both cases.

Lord Rosebery, in addressing the Imperial Press Con-



ference,<sup>1</sup> in the course of a speech welcoming the overseas delegates home, said: "I should like Parliament to vote supplies for two years, and then pack itself up in three or four of those obsolete warships and go for a trip in order to find out something about the Empire. You may object at once to my scheme and say, 'But how would the country be governed while all the Ministers were absent?' I reply with confidence that the people would be governed much as they are now—by the heads of the permanent departments, and I am not sure that some of us would not feel an even greater confidence in the welfare of the country if it were under that permanent and well-ordered control." Underlying these words, uttered by an ex-Prime Minister of Great Britain, is an earnest and sincere tribute to the responsibility and efficiency of the national civil service of the United Kingdom. Politicians of even limited experience know that the most able statesmen when called to Ministerial office are more or less dependent upon the permanent heads of the Ministerial departments; the more able the Minister the less apparent is his interference with his department; but that does not make his influence the less felt by his staff, for its members feel that his eye is ready to detect the slightest flaw in the working of the department, and that his reprimand will be far more serious in its effect than that of the fussy, inefficient Minister whose continual interference in departmental machinery rapidly disorganizes its working and assists in bringing the Ministry of the day into discredit with the electors.

Under the present system of watertight compartments within the Empire, the civil servants have more or less restricted spheres regulated by the size and importance of the part of the Empire they serve. The civil servants of Great Britain have a wide sphere owing to their services being extended to such overseas possessions as do not enjoy representative institutions. The civil servants of India, though recruited by competitive examination in Great Britain (not the Empire), are restricted to service within the Indian Empire, and the civil servants of the self-governing possessions are restricted to employment within the particular dominion, commonwealth, union, or self-governing colony. The maximum of efficiency is lost,

Efficiency of  
the British  
Civil Service.

Need for an  
Imperial Civil  
Service.

<sup>1</sup> London, 5 June, 1909.

localism—nationalism if you like—becomes a characteristic of these officials and is detrimental to the best interests of Empire. The creation of an imperial civil service made up of the most able civil servants of the Empire irrespective of kingdom, dominion, or colony would not alone raise the standard of all the civil services of the Empire, but would bring into being a body second only in importance in the governance of Empire to the Imperial Senate itself. It should be the channel by which any citizen of the Empire could reach the highest offices in the gift of the Emperor.

It is one thing to decree by a short Act of the British and colonial parliaments that the Empire hereafter shall be considered either politically, commercially, or for defence as an organic whole, and quite another thing to get the imperial population to realize that it is so when there is no official personal intercourse to bring the fact prominently before their eyes. Interchangeability of the higher officials—members of an imperial civil service—between all parts of Empire would keep continually before the eyes of the public the official fact that the Empire is one.

The imperial tie would be strengthened by the existence of the Imperial Senate assisted by the Imperial Civil Service recruited from the national civil services upon promotion—there would be an imperial relationship between the Senate and the Imperial Civil Service just as there exists at present a national relationship between the national parliament and the national civil service. Whereas the former would make for unity and an imperial citizenship, the latter tends towards national independence and the disintegration of the British Empire.

In advocating the federation of the Empire by means of a superior Chamber and an imperial civil service it has been borne in mind that the only practical means by which the Empire can be governed as an organic whole is to retain the governing principles of the British Constitution, remembering that it is a mixed constitution in which the monarchical, the aristocratic, and the democratic elements are blended and are conducted with that stately courtesy which is a happy survival of those times when the Empire was in its cradle.

Whilst an additional Chamber—an imperial body—in no

way trespasses upon the British Constitution it adds but another power to the smallest as well as the largest parliament in the Empire. Parliament under the British Constitution means the King, the Lords, and the Commons—quite powerful enough to build up the Empire and to retain it against outside enemies. But with its oversea expansions we are called upon to meet other disintegrating agencies, to do which it is necessary to consolidate, politically, officially, commercially, and securely, and without any infringement of the British Constitution or any of its characteristics. This can be done, and in future Parliament should mean the Emperor, Senate, Lords and Commons.







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